


CHASE, SALMON

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CABINET

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# Abraham Lincoln's Cabinet

Salmon Chase

Excerpts from newspapers and other  
sources

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## Ex-Secretary Chase.

From the Brooklyn Daily Union.

What does Mr. WEED mean? The only despotism of which there has been any complaint in this period of war has been that of Mr. WEED's admitted friend the Secretary of State, which, for our part, we have never found fault with, but which Secretary CHASE has consistently opposed. Again, does Mr. WEED mean to charge that CHASE "did not desire a restoration of the Union?" He says so as plainly as he can without disingenuously framing an accusation. If he does, he is guilty of a very contemptible, very palpable, and very deliberate lie. We have in another column taken occasion to characterize a lie by insinuation. If we have said anything to make such a lie appear despicable, we should like to treble its significance and present it as our estimate of this assertion of Mr. WEED's.

The "despotism" from which I felt, in common with emancipated thousands, a sense of relief, is well understood at Washington. Mr. CHASE, in the exercise of the vast patronage of his Department, was a Despot. He preserved his power over the President by reiterated threats to resign. Mr. LINCOLN, under the erroneous impression that he could not dispense with the services of his Secretary of the Treasury, yielded and endured until human patience was exhausted. Mr. CHASE tried the resignation dodge once too often. Mr. LINCOLN's error was in living so long in torment.

The final breach was occasioned by the refusal of Mr. LINCOLN to ratify an improper Appointment. In declining to accept Mr. CHASE's nominee, Mr. LINCOLN suggested RICHARD M. BLATCHFORD, DUDLEY S. GREGORY or THOMAS HILLHOUSE, as Assistant Treasurer—but Mr. CHASE was inflexible—Despotic—Mr. FIELD or Resignation!

In view of the notoriously unworthy men with whom Mr. CHASE had surrounded himself, Mr. LINCOLN was certainly justified in pausing. Mr. CHASE, not long previously, had made the same point in relation to a New York Custom House Appointment, and the President yielded. The organization of the New York Custom House is a living, burning disgrace. Mr. CHASE had EVIDENCE of infamous practices, but refused to act. When charges showing that the Enemy was receiving supplies through the Custom House were so rife that the President, in December last, called the Secretary's attention to them, he replied curtly that he had "no information affecting the integrity of the Collector." He had, however, abundance of information affecting the integrity of other Officials, but instead of removing them, his Special Agent spent months in efforts to strangle investigations and cover up rascalities. Mr. CHASE knew that there were men in the Custom House whose only service was to sign a Pay Roll. He knew that others were dishonest—that one was detected in leaving his Department with goods concealed upon his person. He has known for three years that gross Custom House dishonesty exists at Oswego. But he gave "no sign."

Mr. CLARK, whom he placed at the head of the Money Bureau at Washington, had been exposed officially, for dishonesty in the Extension of the Treasury Building, a work progressing under the eye of Mr. CHASE! And yet he placed that man in a position of overwhelming pecuniary trust! He not only placed a *tabooed* man in such a position, but refused

to remove him on the Report of his own Solicitor of the Treasury, Mr. JORDAN, who, in April last, in a Letter to Mr. CHASE, said:—

TREASURY DEPARTMENT, SOLICITOR'S OFFICE, April 19th, 1864.

SIR: I have the honor herewith to transmit a report made to me by Col. L. C. Baker, together with a number of affidavits, affecting the conduct and character of S. M. Clark and G. A. Henderson.

In accordance with your instructions I exhibited these affidavits to Mr. Clark, stating to him that I did so by your direction and in order that he might have an opportunity to make such explanation or reply as he should deem proper.

His reply to me was, that as to anything alleged against him impeaching his conduct or character as an officer of this Department, he denied it utterly, and that as to any other matter, he scorned to give any answer.

I have further, in obedience to your order, called before me most of the persons whose affidavits are herewith transmitted, and made such other inquiries as it has been in my power to make touching the matter stated in the affidavits, and the result is, an ENTIRE CONVICTION that the most material of those statements are TRUE: particularly those contained in the affidavits of Elias Jackson, Jennie Gernsey and Laura Leach.

What action, if any, ought to be taken, in view of these facts, is, of course, not a question for me to consider.

I have the honor to be, with high respect,  
(signed) EDWARD JORDAN,  
Solicitor of the Treasury.

Hon. S. P. CHASE, Secretary of the Treasury.

There are other and grave reasons for rejoicing that Mr. CHASE is out of the Cabinet. He *Abolitionized* that Cabinet; and if our Government should be overthrown and our Union severed, he, as the chief of a class to which SUMNER, GREELEY, PHILLIPS, &c., &c., belong, will be responsible for the calamity—directly responsible—for they have perverted the War which should have been waged against REBELLION into a War for ABOLITION, lacking the wisdom to perceive that the whole North could be united against Rebellion, while upon their *Abolition* Programme, the People are divided. In other words, if wiser men had ruled, Rebellion would have *divided* the South and *united* the North. As it is, the South is intensely UNITED, while the North is unhappily divided.

But for Mr. CHASE and his followers, the Rebellion would have had narrower limits, embracing only the Gulf, and some of the Mississippi States. But for *their* influence two Union men from Border States would have been in the Cabinet. For saying, in December, 1860, that Tennessee, North Carolina, Western Virginia and Northern Alabama, were full of Union men, I was denounced and persecuted by all the ultra Abolitionists. But under every discouragement—amid rapine and murder—this has proved to be true. Mr. CHASE would not, however, allow these States to remain in the Union, or suffer them to return to it as States. For the truth of my assertion that Mr. CHASE would not allow the Border States to remain in the Union, I submit the following Letter:—

WASHINGTON, February 9, 1861.

DEAR SIR: Thanks for your note and explanation of that vote. It may be useful. *There is a greater disposition to compromise than I like to see. But I hope the best.* Half a dozen of the Border State gentlemen have been in our room to-night, ETHELBIDGE and STOKES, of Tennessee, ADAMS and BRISTOW, of Kentucky, GILMER, of North Carolina, and others. *I really sympathize with them, but see no reason why we should give permanently a large power to help them, for the purpose of gaining temporarily a little one.* Yours, cordially, S. P. CHASE.

When this Letter was written, bold, devoted Union men in North Carolina and Tennessee were struggling to keep their States in the Union, anxious to sustain the Government and to stand by the Stars and Stripes. The "Border State Proposition," adopted by Congress, would have held them. Their Members of Congress went personally to "our room," imploring aid. Mr. CHASE's "sympathy" was excited, but he "saw no reason" for "sacrificing" *Abolitionism* for the UNION!

What followed is historical. We have been involved for nearly four years in an Abolition War. The influences that drove North Carolina and Tennessee from the Union, extorted

an Emancipation Proclamation, practical and effective only in giving union, strength and determination to Rebellion—a Proclamation to which the first Slave has not owed his Freedom; for it is only operative where our Armies go, and without it the Armies would have gone faster and farther. And let it be remembered that all the while these Abolition Demagogues and Fanatics were aiding both Rebellion and Slavery. The North, united, and free of the incubus of Abolitionism, would have crushed Rebellion, and with it the cursed Institution which struck at and sought to divide the Union. If the South avert the punishment due to the great National crime of Rebellion, they will owe their escape to the insanity of Abolitionists. It is thus that antagonism work together.

And here, to guard against those who lay in wait to pervert all I say, let me exempt GERRIT SMITH, with others who have nobly given themselves to the duty of sustaining the Government in its War against Rebellion. Had the same degree of patriotism and sense governed Mr. CHASE, leading Members of Congress and influential Journals, we should this day rejoice in a triumph of the Government over the vanquished Armies of the Confederacy, consigning Rebellion and Slavery to a common grave.

I did not, three years ago, mistake or magnify the evil of Abolition influences, nor, though fiercely denounced, did I shrink from the duty of warning the People. What then was only Prophetic, is now History. Abolition influences, in Congress, and in the Cabinet, have doubled the millions of dollars, and deepened the rivers of blood, spent and shed, in a War which, so long as such influences and counsels sway the Government, promises nothing but an interminable conflict or an inglorious termination.

T. W.



After a Sunday passed in very serious consideration, he resolved to withdraw his resignation. He was unable even then to imitate the brevity of Mr. Seward's note. He sent to the President his note of the 20th enclosed in another, in which he said that reflection had not much, if at all, changed its original impression, but that it had led him to the conclusion that he had in this matter to conform his action to the President's judgment. He would, therefore, resume his post as Secretary of the Treasury, ready, however, to retire at any moment if, in the President's judgment, the success of the Administration might be in the slightest degree promoted thereby.

The untrained diplomatist of Illinois had thus met and conjured away, with unsurpassed courage and skill, one of the severest crises that ever threatened the integrity of his Administration. He had to meet it absolutely unaided; from the nature of the case he could take no advice from those who were nearest him in the Government. By his bold and original expedient of confronting the Senators with the Cabinet, and having them discuss their mutual misunderstandings under his own eye, he cleared up many dangerous misconceptions, and, as usually happens when both parties are men of intelligence and good will, brought about a friendlier and more considerate feeling between his Government and the Republican leaders than had ever before existed. By placing Mr. Chase in such an attitude that his resignation became necessary to his own sense of dignity he made himself absolute master of the situation; by treating the resignations and the return to the Cabinet of both Ministers as one and the same transaction he saved for the nation the invaluable services of both, and preserved his own position of entire impartiality between the two wings of the Union party. The results of this achievement were not merely temporary. From that hour there was a certain loosening of the hitherto close alliance between Mr. Chase and the Republican opposition to the President, while a kind of comradeship born of their joint sortie and a re-entrance into the Government, gave thereafter a greater semblance of cordiality to the relations between the Secretaries of State and of the Treasury. But above all the incident left the President seated more firmly than ever in the saddle. When the Cabinet had retired and left the President with the resignation of Mr. Chase in his hands, he said to a friend who entered soon after, in one of those graphic metaphors so often suggested to him by the memories of his pioneer childhood, and which revealed his careless greatness perhaps more clearly than his most labored official utterances, "Now, I can ride; I have got a pumpkin in each end of my bag."

Nearly a year later he said in a conversation relating to this matter:

"I do not see how it could have been done better. I am sure it was right. If I had yielded to that storm and dismissed Seward the thing would all have slumped over one way, and we should have been left with a scanty circle of supporters. When Mr. Chase gave in his resignation I saw that the game was in my hands, and, I put it through."

Though the opposition to Mr. Seward did not immediately come to an end, it never exhibited such vitality again, and its later manifestations were treated far more cavalierly by Mr. Lincoln. He had even before this dismissed one very respectable committee from New York, who had called to express an unfavorable opinion of the Premier, by saying with unwonted harshness: "You would be willing to see the country ruined if you could turn out Seward;" and after this incident he never again allowed the Secretary of State to be attacked in his presence.

# A Reminiscence of Secretary Chase

J. T. TROWBRIDGE



SALMON PORTLAND CHASE

A LITERARY matter that took me to Washington, D. C., in the latter part of November, 1863, brought me into friendly relations with Lincoln's eminent secretary of the treasury, Salmon Portland Chase, (afterwards chief justice of the United States supreme court,) and I became a guest in his house.

He was then at the summit of his fame and power as head of the treasury department, in which position his distinguished ability, integrity of character, and immense popularity as the father of the "greenbacks," and successful manager of the nation's finances, in the crisis of its greatest peril, had made him, next to President Lincoln, the most important personage in the government.

He was a noble specimen of massively compacted manhood, perfectly erect, over six feet tall, (six feet one inch, I think he told me;) always decorously dressed, his imposing figure set off by a well-fitting frock coat, his face shaven, complexion fair, and eyes light and beaming, with that peculiar fullness of the eyeball which denotes near-sightedness, and there was never the slightest appearance of condescension or haughtiness in his dignified demeanor. He was august, in a true sense, sometimes austere; and I can understand why those who did not know him under favorable conditions should have thought him cold-hearted. He was surprisingly unreserved in his expressions of opinion as to public measures and public men, not excepting the president, and this frankness made him many enemies. I remember that two of his political friends came in one evening to present to him a young man who had made himself a hero of the house by writing a partisan article of a particularly startling character. The secretary received him kindly, but, instead of praising his performance, said of it simply: "I thought it very indiscreet," and turned the conversation to other subjects. This was spoken with a smile, like a flower above a thorn; but the thorn pierced, and I perceived that the young man went away with a diminished admiration of the secretary.

ters, the younger of whom was at that time away at school. The elder, Kate, the famous belle, distinguished in Washington society for her beauty and accomplishments, was absent on her wedding journey, during the first days of my visit, but she returned early in December to brighten the house with her presence and to gladden the heart of her proud parent. The millionaire bridegroom, William Sprague, late governor of Rhode Island, but at that time in the United States senate, of which he was the youngest member, came also and took up his abode with her in the Chase mansion. He was a boyish-looking, taciturn individual,—in society a dark secondary planet in the radiance of her unremittent vivacity.

Of Kate Sprague and her celebrated marriage I dare only make brief mention here; although I can not but recall one enchanting noon hour when, at her own lunch table, (in the senator's absence,) she read to me a long poem that had just appeared, anonymously, in the "Atlantic Monthly," and had so surprised her by its beauty of diction and sentiment that she asked me to hear it and name to her, if I could, the author. The poem was "The Birds of Killingworth," which, after the first two or three stanzas, I declared could have been the work of no other living author than Longfellow. To our mutual delight she read the entire poem aloud, her exquisite appreciation lending it a charm with which it ever remains associated in my memory.

Among the transient guests who interested me were Schuyler Colfax, John Sherman, Horace Greeley, Henry Ward Beecher, and, particularly, James A. Garfield, then a member of the house, who frequently came to dine or dropped in some time in the course of the evening. After the return from the wedding journey, Mrs. Sprague resumed her place in the secretary's drawing-room, and entertained all comers with a simple grace of manner which even the gay capital has rarely excelled.

In one of our morning walks, the secretary took me to an old building standing on a partly vacant lot in G Street. It was of one story, as I remember, with a roof sloping away from a higher building against which it abutted. It was gloomy and deserted, with shattered windows, and weeds growing about the door.

Aug 1886

## RECONSTRUCTION DAYS.

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### I.

THE July number of THE NORTH AMERICAN REVIEW contained a series of important letters bearing on reconstruction days. This series is continued here. Some of these letters recall the questions born with the closing days of the war. Some of them relate to questions a little later than the war days; but all are of interest in the sense of what somebody has called the "Broken Lights of the Foreground."

The burning questions of ante-bellum days were forever settled. The origin of them all was dead. The surrender of the South brought new questions—new experiences. Some of the war-leaders had laid down the sword only to mount the rostrum, and, with the assassination of Lincoln, the new war of ideas and words commenced. Was the South *IN* the Union, or was the South *OUT* of the Union? Should the black man be enfranchised, or should he *not* be enfranchised?

The two problems formed the basis of all other political problems of the day.

Possibly the very first to openly declare an opinion as to negro enfranchisement was Salmon P. Chase, Secretary of the Treasury. He not only expressed his opinions—he urged his principles on the Administration. The fact lends a double interest to those of his letters here printed, though fragmentary, and, in a sense, private.

Of scarcely less interest are the added letters of Generals Sherman, Grant, Ord, and others, bearing, as they do, on questions that were "burning" fifteen to twenty years ago, and the outgrowth of a conflict that, in the words of President Lincoln, "no mortal could make and no mortal could stay."

S. H. M. BYERS.

### II.

The note below, from General Halleck to General Sherman at



Vicksburg, shows the confidence felt in Washington at that time in the judgment of men who had been successful at arms, and who might have opinions worth knowing on civil affairs.

*Private.*

WASHINGTON, August 27, 1863.

MAJOR-GEN. W. T. SHERMAN, Vicksburg, Miss.

MY DEAR GENERAL: The question of reconstruction in Louisiana, Miss., and Ark. will soon come up for the decision of the Government, and not only the length of the war, but our ultimate and complete success, will depend upon its decision. It is a difficult matter, but I believe it can be successfully solved, if the President will consult the opinions of cool and discreet men who are capable of looking at it in all its bearings and effects. I think he is disposed to receive the advice of our Generals who have been in these States, and know much more of their condition than gassy politicians in Congress. Gen'l Banks has written pretty fully on the subject. I wrote to Gen'l Grant immediately after the fall of Vicksburg for his views in regard to Miss., but he has not yet answered. I wish you would consult with Grant, McPherson, and others of cool, good judgment, and write me your views fully. As I may wish to use them with the President, you had better write me unofficially, and then your letter will not be put on file, and cannot hereafter be used against you. You have been in Washington enough to know how everything a man writes or says is picked up by his enemies and misconstrued. With kind wishes for your future success, I am yours truly,

H. W. HALLECK.

### III.

What President Johnson's and Mr. Chase's views were, as to the recognition of official bodies chosen in the South previous to the ending of the war, may be seen by the following letter from Mr. Chase himself. This was just after the death of Mr. Lincoln. It would seem that Mr. Johnson was then more willing to have the military attempt something in a civil way for the restoration of the South than had been the case in the Johnston-Sherman treaty, though Mr. Chase also disapproved the latter. Mr. Lincoln had assured General Sherman, but a few weeks before, that the rebel State governments in existence at the time of their laying down their arms should have temporary recognition.

Mr. Johnson had other views. Admiral Porter has put on record that the terms offered Johnston by General Sherman were, as a matter of fact, President Lincoln's terms. Only his death prevented their approval. President Johnson's retreat from his own policy, and his later denunciation of negro-enfranchisement as an "untried experiment," were the first rocks in the way to reconstruction.



U. S. REV. STEAMER, WAYONDA,

May 5, 1865.

MY DEAR GENERAL: You were kind enough to show me Schofield's telegram. That you may see what my views are, I enclose printed copies of two letters of mine to President Lincoln, written on Tuesday and Wednesday preceding the great crime. They have been printed—a few copies only—for convenience, *not* for publication.

I have some reason to think that the views they express will ultimately be adopted. Indeed, it seems to me certain that the logic of events will coerce their adoption.

President Johnson is clearly of opinion that no official body or individual, owing election or appointment to rebel votes or authorities, can be recognized by the National Government, but that reorganization should proceed from the people. He would be gratified to have *all loyal* citizens participate in this work without reference to complexion, believing that by general suffrage the best, safest, and most permanent reorganization would be secured. I have ventured to represent to him the importance of settling some policy—adopting this, if possible—and taking the initiative by proclaiming and recommending it. The matter was under consideration when I left Washington. I am sure that judicious steps taken in this direction by General Schofield, or any other general commanding in a State whose government is disorganized by rebellion, would not be disapproved.

I was glad to have your explanations concerning the arrangement with Johnston. I shared the regret it was made, and disapproved of its terms, which your best friends felt; but neither my confidence in you, nor my gratitude for your services, ever knew the slightest diminution, and I am now as I have ever been since knowing you, with the sincerest admiration and esteem, your friend.

S. P. CHASE.

Major-General W. T. SHERMAN.

## IV.

General Sherman's "harshness toward the blacks," referred to by Mr. Chase in the following letter, was more apparent than real. The charge that he looked upon them as a "sort of pariahs almost without rights," will sound amusing to many who knew Sherman's real sentiments. Sherman's mind was taken up, first of all, with putting down the rebellion. That done, he was as ready to protect the colored man as any officer in the country, regardless as to his own sentiments as to the propriety of this or that. On the occasion referred to, when he wished his camp to be cleared of "surplus negroes and mules," he only wished for room. There were too many wagons, too many mules, too many negroes, too many sick soldiers about the camp. They were in his way, and in his request to have them removed, he bluntly put

them together in a phrase, and without a thought of offense or of classing the negroes with the cattle. His later actions proved this.

WASHINGTON, January 2, 1865.

DEAR GENERAL: In common with all loyal men, I partake the gratitude and admiration inspired by the services of your army and yourself. My hopes of you at the beginning were great. They have been more than realized; and I trust that the country's debt to you is yet to be largely augmented.

But there is one feature of your military administration which gives pain to many, and I think I perform the part of a true friend, and infringe no rule of propriety, in mentioning it to you.

I refer to the apparent harshness of your action towards the blacks. You are understood to be opposed to their employment as soldiers, and to regard them as a sort of pariahs almost without rights. In your first report after opening communication with General Foster, you spoke of the necessity of riding your camp of the surplus negroes, mules, etc. I do not remember the exact words, but I do remember the report. I felt that an expression classing men with cattle found place in a paper which cannot fail to be historical.

In my judgment, negroes as men have the same rights as other men. The President has, by proclamation and as a military measure, enfranchised those who were held as slaves in the Rebel States. The Attorney-General, in a well-considered opinion, has asserted the citizenship of those who are free. And it seems to me not doubtful, that in the political reorganization of the States in insurrection, political as well as natural rights must be conceded to a portion, at least, of the colored population. For myself, indeed, I freely say that I see no reason why all citizens may not vote, subject only to such restrictions as are applicable to all, irrespective of color. I feel sure that the justice and good sense of the people will, at least, demand the right of suffrage for all who are educated, and all who have borne arms in the service of the Union. Without this, at least, I see no security against attempted re-enslavement, against the most inhuman and cruel discrimination and treatment of the colored people as a class, or indeed, against the ascendancy of the disloyal element in the insurgent States, as soon as the military pressure shall be removed.

Doubtless you have thought much on these subjects. But may I not ask you to take them again into your consideration? May I not ask you especially to avoid any appearance of harshness or severity which does not represent or express your real sentiments and convictions? You have a great and most responsible position. Your example, for good or evil, will be followed by officers of lower character and less discretion. Your action will influence largely the destinies of multitudes. It is my anxious wish that it may command for you the lasting gratitude of all good men, and the approval of Him who is no "respector of persons."

With the sincerest respect and esteem, yours very truly,

Maj.-Gen. W. T. SHERMAN.

S. P. CHASE.

## V.

This letter from Mr. Chase to General Sherman not only shows the high regard in which the latter was held by him, but his conscientious wish to smooth matters over after the outrageous action of both Halleck and Stanton toward Sherman, who had been branded almost as a traitor at the very moment he was receiving the nation's applause. Time and investigation, though, have pretty fully convinced the public that the action of Stanton and Halleck was not so much the result of enmity, jealousy, or malice as it was the consequence of a temporary stampede of political sense, following the assassination of the President. The second note below, from Mr. Chase, too, still bears on the enfranchisement of the negro.

[MOREHEAD CITY, N. C.]  
U. S. REV. STEAMER WAYONDA,

May 6, 1865.

DEAR GENERAL: I have always been thought a radical in principle, and never have disclaimed the name; but I have tried to be conservative in working, and have generally got along without breaking things. This morning, I met at Beaufort, Col. Taylor, a gentleman of ability, a holder of a hundred and twenty-five slaves before the war, and a handsome estate in lands. He has come to the conclusion that it is best to restore the *old* constitution of North Carolina, under which *all freemen* voted, and believes that the Union and Union men will be safest with *universal suffrage*. I met others with different opinions, but none manifested any such feeling as would lead me to expect any renewal of trouble from the extension of the elective franchise to *all loyal citizens*, and inviting all to participate in the work of reorganization.

The matter must be left to consideration and reflection. It is a clear duty to be frank and open; and this duty requires the National Government to say distinctly what, in its dictionary, the words "loyal people" mean. The most obvious signification should, in my judgment, be adopted. All *loyal men* must be taken as the synonymous expression. John Sherman has maintained this view, I am told, since the adjournment of Congress, in a speech in Ohio. But I will trouble you no further with these ideas. Time will try all opinions. Our ends are the same, permanent Union and permanent peace.

Let me, however, most respectfully, but very earnestly, advise against the publication of the general order you have sent me. I cannot see that any good will come of it; but I fear some evil.

My knowledge of the internal administration of the War Department for nearly a year past has been only that which all may gather from the journals, and, of course, I am not well enough informed to judge of the motives of recent action. I cannot believe, however, that it had its origin in any bad feeling towards you; so far as Randal, Johnson, or Secretary Stanton are concerned. Since my conversation with you, I have seen more clearly the motives and



views which governed you. I presume they do also, and will soon become more fully informed and more definitely impressed. I know what your feelings must be, but you are not required to do anything to ensure full justice to your acts and intentions both from the Government and the people.

I hope you will let time and reason do the work of your vindication, and put the order, at least, in abeyance.

Pardon this expression of opinion on a matter of which you are so much the better judge. Your kindness in permitting me to see the order seems to warrant it.

You are a native of Ohio, a State which adopted me and has dealt most generously with me. Your honor and fame are therefore especially dear to me. Besides this, your brother was my ablest and firmest supporter in my difficult financial administration, and my gratitude to him extends itself in some sort to you. So you must excuse my solicitude, not forgetting that it is that of one a good deal older than you are, who has had a large experience, though less varied perhaps than your own.

Very truly your friend,

Maj.-Gen. W. T. SHERMAN.

S. P. CHASE.

# VI.

U. S. REV. STEAMER WAYONDA,  
[MOREHEAD CITY, N. C.,]

May 5, 1865.

MY DEAR GENERAL: Thanks for your note: it is frank and to the point, and what you say shall be carefully pondered. All my opinions have been formed in the light of practical experience, and are subject to all the modifications and corrections it suggests.

You know that I have been long concerned in public affairs, and have had large interests to control and serve, both in Ohio and Washington. The lesson that is strongly impressed on my mind is that boldness and decision, guided by common sense and strict regard to rights, oftenest prove sure guides to safe results; and now my trouble in attempting reorganization without the loyal blacks, proved quite as much from the apprehension that it will work more practical evil than it will avoid, as from any abstract theory.

But you have my views and I have yours. Let us both reflect and observe. I will try to dismiss from my mind all mere preconceptions, and have no doubt you will do the same, and may God guide our country right.

Thinking it may be of some interest to you, and finding one among my papers, I send you a copy of the order to Gen'l Shepley. As I have only one, please return it. Yours most truly,

Maj.-Gen'l W. T. SHERMAN.

S. P. CHASE.



other man on earth.' His head and face were small in proportion to his height, and he looked older than he was.

Other descriptions tell a somewhat different story, but none pronounce Marshall handsome. Judge Story says that he was dignified, though plain, and that his dress was very simple, but very neat. He says that he had small, black, twinkling eyes, a low forehead, but harmonious features. He was a good laughier, and was full of humor. Daniel Webster said, while he was a Member of Congress, that he had never seen a man of whose intellect he had a higher opinion than of that of Judge Marshall.

As for Marshall's physical abilities, his form, though it may have been awkward, was certainly strong. He was fond of muscular exercises, and he was one of the best quoit players of his day. He was a member of the Quoit Club of Richmond for more than forty years, and even in his old age he could hurl his iron ring of two pounds weight fifty-five or sixty feet, and rarely missed the peg. When he made a good throw it is said that he jumped up and down and clapped his hands like a boy. He took off his coat to throw quoits, and he kept up the simplicity of his ways to the last.

As Chief Justice he usually wore blue mixed woolen stockings and a suit of black of very ordinary quality. He did his own marketing, and the story has often been told of how a young gentleman, finding no servants at the market to carry home his turkey, was swearing about the matter, when Marshall, who was rather a rusty-looking old gentleman, offered to take it home for him, and did so. The story is also well known of how he was taken for an old farmer by a lot of young men at a country tavern, and guyed by them until he astonished them with several hours of eloquence on the Christian religion. And another well-known story is that of one of his first law cases, how, attired in a plain linen roundabout and shorts, and with a hat-full of cherries in his hand, he took the place of a missing lawyer and surprised the Richmond bar.

These instances are very good types of his life-actions. He was absolutely simple in all his ways, and the greatness of his mind did not affect the style of his clothes. He was a man of good education, and he possessed much literary ability. His "Life of Washington" was too large to be generally read, and I doubt whether it brought him in the \$150,000 which he expected to make out of it.

Judge Marshall was very fond of the classics, and it is said that at the age of twelve he had transcribed the whole of Pope's *Essay on Man*. He was very fond of Milton, Shakespeare and Dryden, and he attempted poetry himself. During his latter years he read novels with intense interest, and he would sometimes sit up all night to finish one.

He had a high admiration for the talents of the other sex, and the most beautiful stories of his life are those connected with his wife. He met her when she was but fourteen years old, and it was a case of love at first sight. On his marriage, after paying the minister his fee, his sole remaining fortune was a guinea, and this recalls the fact that Chief Justice Oliver Ellsworth was married before he ever had a case, and that the married relations of all the Chief Justices have been of the most pleasant character.

Mrs. John Jay was one of the most beautiful women of her time. She was the daughter of Governor Livingstone, and she married Jay at the age of eighteen. She went with him to Spain, and during her residence at Paris she was a great favorite in society.

The wife of Chief Justice Marshall died some years before him, and he felt her loss very deeply. It is said that he rarely passed through a night after her death without weeping for her, and he wrote, on Christmas night, 1832, one of the most affecting of tributes to her memory. This was the first anniversary of her death. Among other things he says:

"This day of joy and festivity to the whole Christian world is, to my sad heart, the anniversary of the keenest affliction which humanity can sustain. While all around is gladness my mind dwells on the silent tomb, and cherishes the remembrance of the beloved object which it contains. Never can I cease to feel the loss, and to deplore it. Grief for her is too sacred ever to be profaned on this day, which shall be, during my existence, marked by a recollection of her virtues."

Here follows a long paragraph of eulogy of Mrs. Marshall, and he concludes his tribute as follows:

"I have lost her, and with her have lost the solace of my life! Yet she remains still the champion of my retired hours, still she occupies my inmost bosom. When alone, and unemployed, my mind still recurs to her. More than a thousand times, since the 25th of December, have I repeated to myself the beautiful lines

written by General Burgoyne, under a similar affliction, substituting 'Mary' for 'Anna.'

" ' Encompassed in an angel's frame,  
An angel's virtues lay;  
Too soon did Heaven assert its claim,  
And take its own away !  
My Mary's worth, my Mary's charms,  
Can never more return !  
What now shall fill these widowed arms ?  
Ah me ! My Mary's urn !  
Ah me ! ah me ! My Mary's urn ! ' "

Chief Justice Roger Brooke Taney, Judge Marshall's successor, was, perhaps, the most unpopular of the Chief Justices. He came into office in trouble, and his actions in regard to the Dred Scott decision cast a gloom over his last years. He was born in Calvert County, Maryland, about one year after the Declaration of Independence, and he was admitted to practice during the year that Washington died. He was one of the most noted of Maryland lawyers, and President Jackson appointed him Attorney-General of the United States, and he was in Jackson's Cabinet when his trouble began. It arose through the United States Bank. Jackson requested his Secretary of the Treasury, Mr. Duane, to remove the deposits. But Duane refused to comply with this request. Jackson then removed Duane, and he sent into the Senate the name of Mr. Taney as Secretary of the Treasury. In the meantime, Taney took possession of the office, and, according to his order, the deposits were removed. The Senate, however, refused to confirm his nomination, and Judge Duval having resigned, President Jackson nominated Mr. Taney as Associate-Judge of the Supreme Court. The Senate rejected this nomination also. But Old Hickory bided his time, and when Chief Justice Marshall died in 1835, he again sent in Taney's name. By this time the complexion of the Senate had changed, and the Administration party had a majority. Taney was repaid for his rejections by being made Chief Justice, and he held this position for twenty-seven years.

Coming into office in this way he could not be popular with the Whigs, and his unpopularity was added to by his decision as to Dred Scott. The Senate demurred as to the placing of his bust in the Supreme Court room, and though his judicial in-



tegrity had never been impeached, and though he was a fine lawyer, he will not, on account of these things, ever receive the credit to which he is entitled.

Salmon P. Chase, who succeeded Taney, was, perhaps, the finest looking of the Chief Justices. Tall, well formed and majestic, he had a great dome of a head, a high, broad, forehead, and bright, sparkling eyes. His first visit to Washington was to seek a place in the departments, and he applied to his uncle, who was then in the Senate, to secure him an appointment. The old Senator, who understood a great deal more about Washington departments than his nephew, promptly refused, and said :

“My boy, I will give you a half-dollar to buy a spade and you may dig your way into something of a place in life, but I will not get you a place in a Government office. I have already ruined one or two young men in that way, and am not going to ruin you. The man who enters the Government service seldom does anything more. He is swallowed up in these departments, and that is the last heard of him.”

Chase then opened a private school at Washington, but I do not think he made much out of it. While he was teaching school he studied law under William Wirt, and when he was first examined for the bar he answered so poorly that he was told he had better read for another year. He replied that he could not do that, as he had made all his arrangements to begin the practice of law at Cincinnati. When the judges found that he was going to practice at Cincinnati, they told the clerk to swear him in, as any law would do for Cincinnati.

Young Chase's first fee was a half-dollar for drawing up a paper for a client, and it is said that this same client came in the next day and borrowed the half-dollar from him ! He went on, however, and by espousing the cause of anti-slavery clients he made a reputation, and got a chance to show the great abilities which he really possessed. He became Governor of Ohio, was elected to the United States Senate, was made Secretary of the Treasury, and, on the death of Judge Taney, was offered the Chief Justiceship of the United States. He accepted it, but was not happy in it. The bee of Presidential ambition stung him, and his last days were those of disappointment in that he did not secure the nomination.

He was undoubtedly a man of extraordinary ability, and, still,



much of his success was due to hard work. During his boyhood he gave but little promise of his future, and he had, as had Chief Justice Jay, a bad impediment in his speech. He was stoop-shouldered, shambling and slouchy, and a number of stories are told of him during his school-days in Ohio. His uncle was Bishop Chase, who was in charge of the Episcopal district of Ohio, and who kept a private boarding-school near Columbus. It was here that Salmon P. Chase got his first education. He did the chores about the house and worked on the farm during the vacations. It was here, while he was shambling along the road one day in his awkward way, that he passed two rail-splitters, and these, expecting him to speak to them, stopped their work. Chase was thinking of something very deeply, and he did not look up. As he went by he heard one man say to the other :

“What awkward fool is that ?” and the other replied :

“Why, that’s the Bishop’s nephew, and he has’nt got enough spunk in him to amount to anything !”

This roused the spirit of Chase to its very depths. He determined to improve his personal appearance, and he began at once a systematic gymnastic training. It is said that one day, while he was exercising, he felt something give way in his side. It hurt him at the time, and he fainted away. He continued his gymnastics, however, and he made himself one of the straightest and finest-looking of public men.

The story of young Chase’s encounter with a pig is worth retelling. One day his uncle, the Bishop, started out on the circuit, and as he left he told Salmon to stop his studies at noon and kill and dress a pig. The only thing that young Chase knew was that he had first to catch the pig. After great trouble he did this, and succeeded in killing it. And now the question was as to how to get the hair off. He had heard of farmers scalding hogs, and he soured the pig into a barrel of hot water. He either held the pig in too long, or the water was too hot or not hot enough, so that the bristles of the pig were rather tightened than loosened. They stuck as though glued, and would not come off. After scraping and scratching until his fingers were raw, he thought of the Bishop’s razors, and, getting them, shaved the pig from nose to tail. When the Bishop came home he congratulated his nephew on the splendid appearance of the pork, but the eating and shaving of the next day told a different story. The roots of the

bristles remained in the hog, and the razors were so dull that the Bishop tried in vain to scrape the bristles from his face.

Leaving Ohio for New Hampshire, young Salmon went to school at Dartmouth, and it is said here that he left the college because a friend of his was, he thought, unjustly suspended. The faculty allowed the two boys to go off, but finally concluded that they could not afford to lose two students, and sent a messenger after them.

Chief Justice Chase dressed in black while he was in Washington. He fully appreciated the dignity of the Supreme Court, and he was naturally a dignified man. His private secretary, Mr. Didier, says that he had little appreciation of humor, and rarely indulged in a joke. He was regular in his habits of life, and his tastes were simple. He rose at six o'clock in summer and at seven in winter, and he breakfasted at eight. After his breakfast he read over his letters and dictated answers to them or prepared his opinions. At ten o'clock he left the house to go to the Capitol, and walked when the weather was fair and rode when it was bad. He returned at three, and, after a simple lunch of crackers and tea, he went back to work on his opinions, and continued to work until dinner-time, which was at six o'clock. His table was elegant, and his dinner usually consisted of three courses and a dessert.

His daughter, Miss Kate Chase, was one of the most brilliant women Washington society has ever known; and her entertainments while her father was Chief Justice and Secretary of State were the social events of the National capital.

The story of the appointment of Chief Justice Chase's successor has been recently told in the newspapers. General Grant finally made a good selection in the choice of Chief Justice Waite, and the Chief Justices of the United States have, so far, been an honor to the country. From Jay to Waite they have one and all been able lawyers. They have been men versed in statesmanship and possessed of extraordinary culture. They have been men of minds and hearts as well as just judges, and to the ordinary reader their personal traits will be fully as interesting as the record of their able judicial decisions.

FRANK G. CARPENTER.

## SALMON P. CHASE.

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THIS gentleman, a New Englander by birth, came to the West when a youth. A man of fine intellect and rare culture, he had a cold, unimpulsive temperament, that gave to his manners a dignified reserve that repelled familiarity, and interfered materially with his popularity. His fine presence, for he was tall, erect and admirably proportioned, with his grave manner, impressed the crowd, and created respect without liking. These qualities are, however, more potent in the end than more genial ones. Many a statesman, honored in his grave, owed his success in life to the *prima facie* evidence of wisdom, so acceptable to the popular mind, that is found in silent gravity. The late Tom Corwin, of Ohio, a man of genius and infinite humor, on one occasion, when lecturing me for my disposition to joke with a crowd, said :

“Don’t do it, my boy. You should always remember that the crowd looks up to the ring-master and down on the clown. It resents that which amuses. The clown is the more clever fellow of the two, but he is despised. If you would succeed in life, you must be solemn, solemn as an ass. All the great monuments of earth have been built over solemn asses.”

Salmon P. Chase was anything but a solemn ass. His intellectual attainments put him at the head of his profession, that of lawyer, before they made him conspicuous as a politician. He was a hard student, and his thoughtful processes assimilated, well and rapidly, the information he acquired.

Looking at Chase through life, and regarding his characteristics since his death, I find now, as I found when we were friends, a mystery in the fact that he was ever a reformer. For his motive for action was not in his heart. He had no impulses of that sort that I could ever discover. The elevated plane upon which he guided his life, a singularly pure and just one, came of his stern sense of duty. This was not difficult ; for he had no youth. He



was born an old man in that respect, and had no heartfelt impulses to impel him to indiscretions. He never used tobacco in any form, nor wine, save as social decorum called for its use. He had passion without sentiment, and when he married it was with more regard for the proprieties of life than the gratification of a lover's mad impulse; and herein lies the contradiction that makes him a mystery. He had a high regard for these proprieties of life, and none whatever for the law. Now reform is not reputable. Intrenched wrong finds its most powerful defense in its respectability. They who seek to undermine the respectable are low fellows, and the very name assumed by the reformer becomes one of reproach. Long after the death of our Saviour, to be called a Christian was to have applied a term of fearful stain which justified immediate and shameful death, as cruel and shameful as that awarded our God by the respectable classes of Jerusalem. When Salmon P. Chase gave in his open adhesion to the anti-slavery cause, he was called an abolitionist. He might as well, considering the effect, have been denounced as a thief or a burglar. His reputable friends (and having married into a wealthy and aristocratic family, he had many such) looked down on him with pity and contempt.

Chase, in his shy, awkward way, cultivated young men remarkable for their evidences of intellect or show of eccentricity. I was one of his protégés. I write this without claiming any compliment on that score. One defect in this eminent statesman was his ignorance of human nature. He did not know one man from another, save in the man's professions. He took those very men at the valuation acquaintance put on them. This ignorance added greatly to his success; for we lose more through our suspicions than we gain through our credulousness. We are given to the strange belief that back of every man's act lies a selfish motive, and this, although we are taught by a study of ourselves that nearly all our actions originate in impulses or from circumstances over which we have no control, or from both, and seldom, if ever, from a cold, calculating consideration of how we may use others to our own advantage. At the same time, Chase's confidence gave his upright character its only taint in the eyes of the world. He had around him, from first to last, about the worst set of men that ever environed a leader, and these gave interpretation to many of his acts. These fellows, of course, used him to enrich



or elevate themselves, and the people at large held their master responsible.

On this matter of good or bad human nature Mr. Chase could reason, in a general way, with the terse epigrammatic force so peculiar to him, without being able to make personal application of his knowledge. I remember, for example, visiting the Ohio penitentiary with him while he was governor of the State. Returning, we walked to the Capitol. After a long silence the governor said, "There is not much difference between the convicts imprisoned in those walls and the ordinary run of people outside." This did not surprise me, for I had long before learned my friend's character blindness; but when he continued I was surprised: "These poor fellows are not wicked, they are weak; they have not sense enough to be cautious, nor have they enough strength of character to resist temptation. The law catches the small rogues; the big rascals are too wary to approach the net. I think sometimes that our criminals are not in the penitentiary, but in the churches. The cool, selfish villains wear the cloak of religion, and hedge themselves about with the intensest respectability. They are our bad men, and from them we suffer."

"Yes," I added; "that was the sort that crucified Christ. He suffered not for his treason, but that he was a low person—the associate of the poor, and an agrarian who taught that property was continuous theft, before that Frenchman made his discovery. The wealthy Moses and sons, the high priests, the aristocrats of that day and place, just sickened over such vulgar notions."

"You do wrong," said my friend, "to habituate yourself, as I perceive you do, to vulgarizing the great truths of revelation. It was an awful event, let the motives and passions of poor human nature have been what they may. We should see only our Christ crucified, and not the horrible crowd that did the deed without knowing what they did."

Here was no cant, not the slightest shade of hypocrisy in this rebuke. Chase was truly of a deep religious nature. He believed with the trusting faith of a child in the truths of revelation, not as an abstract thing separate and apart from his daily life. It colored all his character, and entered into the most minute details of his life.

In common with half a dozen other young men admitted to the bar, but not admitted to legal practice, I had the honor of Chase's intimacy, and it is amusing to look back upon the patron-

izing manner in which we sought to protect him. Of all shades of political opinion save that of anti-slavery, we felt a sorrow that our great man should be engaged in such a vile business as acting and laboring with abolitionists. To us, as to the community generally, an abolitionist was not only a negro thief, but an associate of negroes and a disturber of the peace. None the less did we cling to and seek to give Mr. Chase our protection.

He was to speak one night at a little school-house some four miles from Cincinnati, and notice had been served on him that if he did, he would be mobbed. This had no effect on Chase. He was a brave man, and a threat of violence only made him the more determined to fill his appointment. Finding our persuasion of no effect, we armed ourselves and made part of the little crowd assembled in the school-house to hear the anti-slavery advocate. Save ourselves, the audience was mostly made up of the long-haired men and short-haired women peculiar to all reforms. The room was small and lighted by a few tallow dips, which flared and sputtered from the air through the open windows; for it was summer. The meeting being organized, Mr. Chase was introduced and began his argument. He was not a fluent speaker, and had a voice more guttural than resonant. With few gestures, he spoke in an even, unemotional way, as if addressing a court. He got little aid from the expression of his fine face, for being extremely near-sighted, he had a way of contracting his eyelids, as if he were turning his sight in on himself. He had uttered but few sentences, however, before a wild yell from outside, which seemed to go up from every quarter, startled the little audience, and immediately several eggs were thrown in, with great force, through the windows. The audience rose to its feet, the women screamed, more in wrath than fear, and the men gave utterance to more profanity than I thought the fanatical were capable of. We of the body-guard rushed out, firing our pistols right and left, doing no harm that I ever heard of, but putting the ruffians so effectually to flight that we had no further interruption of that sort. Pistols were things not counted on by the crowd accustomed to ride over abolitionists without resistance. When we returned to the house, Mr. Chase was wiping a rotten egg from his bosom with a delicate linen handkerchief, and he then went on with his speech with no other sign upon him than a heightened color on his handsome face. Through this sort of thing a refined, dignified gentleman

came up to be recognized, in the end, as the able leader, if not orator, of a party destined to conduct a great war, and control the government for a quarter of a century after. How he came to be an abolitionist in the first instance, is as strange as that, in the end, he should be thrust aside by the party that he had done so much to make possible.

It was in the office of Chase and Ball, on Third Street in Cincinnati, that the Republican party of to-day was born. Doctor Gamaliel Bailey, a man remarkable for his combination of thought and action, called the little group of strong men together. There were present Chase, Birney, Lewis, and others whose names I have forgotten, and before them Doctor Bailey laid his plan of an organization. He said it was absurd to have a party outside of the constitution making war on the government itself. While the organic law might be a compact with hell, it could not be successfully assailed in an open rebellion. The proper course was to accept the guarantees of the constitution as to slavery in the States, but to oppose its extension. This in the end would be the death of the iniquity, for as slave labor exhausted the soil it lived on, more territory was as necessary for its existence as the air we breathe.

This shrewd proposition was at once adopted by the leading minds of the anti-slavery class. The fanatics, however, for a time gave as much trouble to these practical chiefs as the Whig and Democratic parties. It was not until the fight grew fierce over Kansas and Nebraska that the rank and file swung into line, and, by holding the balance between the evenly-divided parties, as to numbers, became a power in the land.

I have often thought since, that, had the Southern slaveholders possessed the ability which distinguished these early abolitionists, what a different result we would be putting to record. If, instead of setting up a government of their own, these Southern leaders had fought for what they were pleased to term their rights, under the constitution and the flag of our Union, they would have had the sympathy of a majority of the North, and the co-operation of nearly the entire Democratic party on the free side of Mason and Dixon's line. But when they seceded into a confederacy, threw out an alien flag, and fired on Sumter, they changed the issue from a question of States rights, under the constitution, to an armed conflict between rival sections, and the war went on, not to save or destroy slavery, but to save or destroy the nation.



This was Chase's thought, as well as my own. I have often heard him say that we owed more to Jefferson Davis for his folly than to Abraham Lincoln for his cautious wisdom.

The Whig party that was born of the old Federal organization and Henry Clay, and had great men and great measures, without principles other than a conservatism of property privileges, went to pieces, and the anti-slavery organization fell heir to its votes. Before this, however, Chase, holding the balance of power, was first made Senator and afterward Governor of Ohio.

That man is great who rises successfully to the emergency in which he is called to act. Chase, in the Senate, represented nobody save Morse and Townsend, the two pivotal votes on which he was returned; but his dignity and power made his sovereign State glad to recognize him as her Senator, at a time when our House of Lords held the highest political intellect in the land, and was not, as now, an incompetent collection of millionaires. As governor, he not only consolidated and held the Whig vote, but he drew over a large Democratic support of young men glad to recognize a leader of such brain and power.

When the newly-organized party met at Chicago to nominate a Presidential candidate, Chase stood prominent as an available man. The Seward party, fighting Chase, fortunately opened the way to the nomination of Abraham Lincoln.

President Lincoln called Chase to the Cabinet as Secretary of the Treasury. This was a casualty. Had Mr. Lincoln known of the war that was to follow his inauguration, it is not likely that he would have selected a man so entirely ignorant of finance, and all that pertains to that vexed business, as this man who had never given the subject a thought, let alone any study. An illustration of this is found in the secretary calling in the good Father Edward Purcell, of Cincinnati, to advise with him as to what measures were the best to carry on the fiscal agency of a great government, so strangely intrusted to his untried hands!

The Secretary of the Treasury proved an eminent secretary, on the fact I see demonstrated every day; and that fact is that the man is the most successful in the business which he knows the least about. The man who buys to gratify his own taste, is the man who will be his own only customer when it comes to selling again. The ignorant man, seeking to cater to the tastes and wants of his patrons, is eager to learn and open to all information in that



direction. The manager of a theatre who does not know Shakspeare from Dion Boucicault, and looks to the box-office for guidance on the stage; the bookseller, ignorant of the inside of all books, who looks solely to the purchaser of books; the editor who writes down to the depraved tastes of the multitude; the shoemaker who looks to the corns and bunions of his buyers instead of his own, are all illustrations of what I say. Salmon P. Chase not only took the good father into his confidence, but listened with inexhaustible patience to the practical financiers, who knew less on the subject that made their business than any other class of men in the country.

The war came on. It was the costliest war ever known to a civilized people, for we had to pay cash for our experience. To get up a regiment called for as much money as to govern a State—not less than a million dollars per year for each thousand men. To put an army of seventy-five thousand armed men into the field, and to keep them there, bid fair to bankrupt the government. The secretary, in this awful emergency, found at his back an empty treasury and a ruined credit. There was no time to levy and collect taxes, and, had there been, the secession of the Southern States carried out our great staple on which our wonderful prosperity had been built, and the artillery that shot down our flag at Sumter utterly prostrated the business of the country.

The only way open was to borrow, and even that seemed closed to the anxious government at Washington. Capital is not only sensitive to danger, but from that very fact is selfish, and with no touch whatever of patriotism. We read of noble women contributing their jewelry to a cause, of pious men of God melting their bells into cannon, but we never read of money-getters fetching out their hidden bags under patriotic impulse in aid of a forlorn hope.

The country was aroused to a frenzy by the insolence of the South in firing on the flag of the Fathers, and men—God bless them!—volunteered to fight in such numbers that the government found difficulty in enrolling and arming them. Capital was also vociferous. It took the iron-bound oath of allegiance at all hours. It made speeches of much sound, if not eloquence, urging men to volunteer, but no man brought out his hoarded gold to aid the struggling government in its hour of peril.

The able Secretary lost no time in appeals to the Shylocks. He

turned to the noble, patriotic people, who were wheeling into line to the roll of the drums, for the credit he needed, and issued the greenback. A history of this transaction is curiously illustrative of the two men, Lincoln and Chase, concerned therein. Of course, the idea of issuing money directly by the government to meet an emergency was as old as governments themselves. But Amasa Walker, a distinguished financier of New England, had a thought that was new. He suggested that the notes thus issued directly from the government to the people, as currency, should bear interest. This for the purpose not only of making the notes popular, but for the purpose of preventing inflation by inducing people to hoard the notes as an investment when the demands of trade failed to call them into circulation as a currency. This idea struck Mr. David Taylor, of Ohio, with such force that he sought Mr. Lincoln and urged him to put the project into immediate execution. The President listened patiently, and at the end said, "That is a good idea, Taylor, but you must go to Chase. He is running that end of the machine, and has time to consider your proposition."

Taylor sought the Secretary of the Treasury, and laid before him Amasa Walker's plan. Chase heard him through in a cold, unpleasant manner, and then said: "That is all very well, Mr. Taylor, but there is one little obstacle in the way, that makes the plan impracticable, and that is the constitution."

Saying this, he turned to his desk as if dismissing both Mr. Taylor and his proposition at the same moment. The poor enthusiast felt rebuked and humiliated. He returned to the President, however, and reported his defeat. Mr. Lincoln looked at the would-be financier, with the expression at times so peculiar to his homely face, that left one in doubt as to whether he was jesting or in earnest.

"Taylor," he exclaimed, "go back to Chase and tell him not to bother himself about the constitution. Say that I have that sacred instrument here at the White House, and I am guarding it with great care."

Mr. David Taylor demurred to this, on the ground that Mr. Chase showed by his manner that he knew all about it, and didn't wish to be bored by any suggestion.

"We'll see about that," exclaimed the President, and taking a card from the table, he wrote upon it, "The Secretary of the

Treasury will please consider Mr. Taylor's proposition. We must have money, and I think this a good way to get it. A. Lincoln."

Armed with this, the real father of the greenbacks again sought the Secretary. He was received more politely than before, but was cut short in his advocacy of the measure by a proposition for both of them to see the President. They did so, and Mr. Chase made a long and elaborate constitutional argument against the proposed measure. "Chase," said Mr. Lincoln, after the Secretary had concluded, "down in Illinois I was held to be a pretty good lawyer, and I believe I could answer every point you have made, but I don't feel called upon to do it. This thing reminds me of a story I read in a newspaper the other day. It was of an Italian captain, who run his vessel on a rock and knocked a hole in her bottom. He set his men to pumping, and he went to prayers before a figure of the Virgin in the bow of the ship. The leak gained on them. It looked at last as if the vessel would go down with all on board. The captain, at length, in a fit of rage, at not having his prayers answered, seized the figure of the Virgin and threw it overboard. Suddenly the leak stopped, the water was pumped out, and the vessel got safely into port. When docked for repairs, the statue of the Virgin Mary was found stuck headforemost in the hole."

"I don't see, Mr. President, the precise application of your story," said Mr. Chase.

"Why, Chase, I don't intend precisely to throw the Virgin Mary overboard, and by that I mean the constitution, but I will stick it in the hole if I can. These rebels are violating the constitution to destroy the Union; I will violate the constitution, if necessary, to save the Union; and I suspect, Chase, that our constitution is going to have a rough time of it before we get done with this row. Now, what I want to know is whether, constitution aside, this project of issuing interest-bearing notes is a good one."

"I must say," responded Mr. Chase, "that with the exception you make, it is not only a good one, but the only way open to us to raise money. If you say so, I will do my best to put it into immediate and practical operation, and you will never hear from me any opposition on this subject."

The people eagerly accepted the loan, which the capitalists were prompt to depreciate and dishonor.

No one can measure correctly the masterly management of this



statesman, who does not accept and appreciate the difficulties that beset his ways. The intense selfishness of this class, that owed its all to the government he was struggling to sustain, bid fair to be more fatal to us than all the armed legions of the South, fierce and valiant as they were. While our soldiers in the field, and the labor left at home, accepted the greenback at par, hungry, unpatriotic capital higgled over its marble counters, discounting the currency that was the life-blood of our government. It was not until after the fortunes of war took a turn and the "Lost Cause" through exhaustion staggered from fields that were disasters to it, although shouted over as victories, that the money power came out cautiously at first, not in aid of the Government, but to invest for a profit. Government bonds were bought with greenbacks got at a ruinous discount, and these same bonds were pledged for redemption in coin.

I write this without feeling against the capitalist. We must take the world as it is. I suppose a capitalist is as necessary to our existence as any other objectionable factor the necessity for the existence of which is a mystery. He does live, but his living was a sad obstacle in the way of success to our imperiled nationality. To appreciate, as I have said, the eventual triumph of Salmon P. Chase, we must know and appreciate the capitalist.

The peculiar power, the sacredness, that attaches to money, in the eyes of men, has always been a mystery to me. Now, it is accepted as the right of government, when threatened with violence, to go to the poor man's hut and bid him come out and shoulder his musket to fight for his government. The poor fellow, with more or less tearful leaving of the family of which he is the humble bread-winner—and without waiting to negotiate a gold-bearing bond—marches out to be killed or mutilated, with no other compensation than his miserable pittance, that, if wounded, attenuates into a pension if his government survives. If killed, there is the sweet ceremony of strewing flowers over his grave.

How the heart thrills to the memory of the noble response our poor men made to this demand! One remembers those broad-shouldered, handsome fellows, in the bloom of life, crowding the cars in laughter, amid the roll of drums, the waving of banners, with flowers thrown to them from trembling hands, and farewell smiles that covered aching hearts. And one remembers how they returned in wooden boxes, or limped home with mangled bodies,

or never returned, but filled unknown graves in far-off battle-fields. One recalls, too, the desolation that was like a low wailing undertone to the strains of triumph all over the land.

Well, if the government, in this way, can take the poor man's life, can it not take the rich man's money? What is there so sacred about this thing that it must be guarded above life? What is it in gold that the blood-stain does not tarnish, and why is it that what God shuts out from heaven as accursed should be our god on earth?

I hear the capitalist denouncing this as demagogism, as insincere and not true. Does not capital pay the taxes? Does not capital give these soldiers their wages and insure them their pensions? No, it does nothing of the sort, and you add insult to injury by the assertion. For a thousand years the wisest law-makers have been striving to make accumulated capital pay its share of taxation, and they are as near the impossible now as when they began. As well try to make the pyramid support itself on its apex. Taxation reaches down to the base; the base is labor, and labor pays all. The man riding to mill on a sack of grain does not relieve the horse under him by shifting the sack, even if he transfers it to his shoulder. The sons of the men who went out to fight are paying the debt that grew out of their fathers' service, are paying the pensions, and, more than all, are paying for bonds that have in fact been paid twice over before their redemption.

No better illustration of the stress under which the government labored can be given than the creation of the national banks. To bring these moneyed corporations, the banks, into accord with, not to say support of, the government that gives them protection, the most extraordinary privileges were granted them. To farm out the fiscal agency found in the creation of a circulating medium was no new thing, but to permit these corporations to purchase government bonds in depreciated currency, at a heavy discount, and then accept the same bonds at par as a basis for a circulating medium, was an arrangement that nothing but the poverty and distress of the treasury could justify. Secretary Chase claimed, in extenuation, that he meant this to be only a war measure, to cease when the armed conflict ended. That this extraordinary system rests entirely on the indebtedness of the government, and must cease when that indebtedness is paid, gives plausibility to his plea.

A national debt, however, of the magnitude of that left us by the war, is of slow liquidation. Before the eminent war-treasurer died he saw the consequence of his blunder, and that a costly and oppressive system of banking had been fixed upon the people for all time to come. It had a certain hold upon the favor of business men, from a false contrast that it offered between our present system and that of the old State banks which preceded it. This contrast is false, for the evil complained of in the banks of a State's creation was not in the legitimate banking they did, but in the currency they issued and on which they did their business. These were notes of the banks authorized by the States, and were at a heavy discount beyond the limits of their several territories. The war which obliterated State lines that existed under the old colonial superstition of sovereignty gave us a nation and a nation's credit for a currency. The national banks are precisely the same as the old State banks—no better, no worse; but the currency in which their business is done differs, and in this difference lies the benefit of national banking.

Secretary Chase saw clearly the evil he had inflicted upon the people he had served, and his anxiety to secure the presidency originated in his earnest desire to correct this one great blunder of his administration. He had called into existence a financial system, that instead of being firm, uniform, and safe, lived on a fluctuation which swings continually from one extreme to the other, and is, therefore, uncertain, unstable, and dangerous.

To understand this, it is necessary to recognize the fact that money, as a measure of value, is an abstract idea made practical by the government. Based on coin, it gets its use through the stamp or sanction of the government. The trading world, in the ages past, selected the material through which to express this idea of value—a material which above all others has a quality that prohibits its use as a circulating medium, and this is its scarcity. Were coin, gold and silver, abundant enough to serve as a currency, it would lose its great quality and be no better than iron and lead. When the government, then, coins and stamps the precious metal, it merely takes the necessary step to keep alive the visible symbol of an abstract proposition.

Money for circulation, through which exchange is facilitated, like all other commodities, is measured by the great measure of value. When therefore a note, of the value of one dollar, is issued,



it is not itself the dollar, for we read on it a promise to pay that amount, and its value rests on the credit of the government making the issue. In this the government does not differ from the individual. If the people have confidence, the promises of the government pass at par; if not, they fall below until, like the old Continental paper, or that of the Southern Confederacy, they cease to possess any value whatever.

It is, therefore, a popular delusion which tells us that the scarcity or abundance of this circulating medium affects prices. It is the paper that is fluctuating and not the products. We, accepting the general belief, cannot comprehend how it is that during our greatest depression in business there is a heavier volume of currency out than when trade is active and the times prosperous. The government, in its ordinary expenditures, may issue promises to pay as money, to the fullest extent, without creating trade or restoring confidence. A man may have his coffers stored with gold, let alone greenbacks, and he will not use five dollars to purchase a barrel of flour until he can see where that barrel can be placed at a profit.

What we mean by the evil of a swollen or a contracted currency is the evil of an over-stimulated or depressed credit. And this power we have placed in the hands of a few corporations. All our business is done on credit, from the greenback of the government to the book account of the grocer. Now, were trade dependent on the actual wants of the community, it would be in a measure stable, uniform, and safe. To stimulate this in a healthy manner the natural greed of humanity is sufficient. But there is such a thing as artificial stimulation, and such a thing as gambling, and herein lies the evil of farming out the credit of the government to a few corporations. It is in accord with their selfish interests to stimulate credit when trade is healthy and active, as it is their safety to contract when over-excited speculation ends and pay-day arrives. Now, while a man will not employ five dollars in the purchase of a barrel of flour until satisfied that he can sell at a profit, he may be induced to believe that a profit will be found in the future, or, what is more common, to make one of a combination which, controlling the market, can force a profit.

It is the duty of a government to give the people a circulating medium, and this to the fullest extent of its credit. Mr. Chase

saw this fact, and in it the error of his act in creating the national banks ; but he never could divest his mind of the popular confusion about money as a measure of value and money as a circulating medium. When Chief-Justice of the Supreme Court, he joined the majority in deciding that notes of the government were not legal tenders under our constitution. Whether unconstitutional or not, to one's common sense the absurdity of the conclusion confounds him. What the government issues the government is bound to receive, and that which the government deals in as money is, of necessity, money.

A man of culture seldom fairly appreciates the mind, however strong, that has not passed through the ripening process of educational training. This fact stood between Chase and Lincoln. The secretary felt rather than saw the superiority of his President, and attributed the masterful control of the greater man to the power of his higher position. In addition to this, Salmon P. Chase was the only member of the Cabinet who was shocked at the coarse humor of their chief. The Secretary of the Treasury had little of this quality in him, and the little he possessed was a refined sort quite foreign to the indelicate, coarse wit of Mr. Lincoln. Chase put on record the solemn fact that when the Cabinet was called together to consider the Emancipation Proclamation, the President opened proceedings by reading to the amazed secretaries nearly all of Artemus Ward's book, then just published. All the Cabinet, except Mr. Chase, laughed loudly over Artemus, and the President, looking in the face of his solemn Secretary, persisted, and with his constitutional advisers, laughed more boisterously than ever.

The fact had come to be recognized, by President and Cabinet, that Chase's disturbed condition was in itself a source of amusement, and Mr. Lincoln seldom lost an opportunity to entertain himself and others in this direction. Some of these occasions both Stanton and Chase related to me, the one in an aggrieved tone, and the other between bursts of laughter, and the reader may judge of their sort when I state that scarcely one would bear printing.

To these small matters may be attributed Chase's withdrawal from the Cabinet. The place was not only overlaid with heavy responsibility, but rendered irksome by the President's treatment. He seemed to have no true appreciation of the labors and success

of his subordinates. All that Chase, Stanton, and Seward accomplished in their several departments was taken as a matter of course, and something by no means unusual. He expended no anxiety on the cares of his own position, lost no sleep, nor appetite, nor flesh, under the enormous weight placed upon his shoulders, and he could not comprehend why his subordinates should be troubled by a sense of responsibility, or seek comfort in praise.

Salmon P. Chase has been severely commented on for what is called his intriguing against his chief for the place of President. This is unjust. To seek the presidency is an honorable ambition, and Chase not only felt under no obligation to the man he honestly believed he had made a success, but his ambition was stimulated by the loftiest patriotism. He knew that unless he continued to hold command of the system of finance he had introduced, that system would cause more evil in time of peace than it had accomplished good in the hour of war. And experience is proving the wisdom of his prophecy. To-day, the government is kept on a war-footing by the very measures Chase inaugurated to end the war.

In addition to this, our Secretary saw the evil of an irresponsible military rule, which Seward and Stanton, under sanction of the President, had made possible. Chase never approved of this arbitrary power in which his associates delighted, nay rioted. "We are doing more to destroy self-government by these arbitrary arrests and illegal punishments in the North than the Confederates of the South in their attempt to wipe us out as a nation." "Again," he said, "the evil of war comes after the war; it leaves an army of cripples, an army of thieves, and an army of prostitutes. We shall suffer more from West Point than we have suffered from the rebellion. The taste for military glory will give us a succession of military imbeciles for rulers."

Having succeeded to all that made him eminent through independent votes based on Democratic doctrines, Chase appealed to the Democratic party for a nomination. He nearly succeeded. A drunken harangue, made by an eminent democrat the night before the nomination, lost him Ohio, and just enough votes to insure defeat.

The elevation of this troublesome subordinate to the position of Chief-Justice of the United States Supreme Court is generally



attributed by thoughtful minds to Mr. Lincoln's shrewdness in thus shelving a dangerous rival. I do not concur in this. Abraham Lincoln felt no fear of a civilian. He did have a wholesome regard for the military men the war had brought to the front, and the one man of all others he was careful to keep from that front, was the first idol of the Free-Soil, afterward Republican party, John C. Fremont. He recognized in the popular pathfinder a man of genius, who to a thoughtful mind added the qualities which go to make a leader of men. He sent Chase from the noisy arena of the political world to the solemn quiet of our highest court, with no other thought than that which generally actuated him, of finding the fittest man for the position.

The real biographer of this great man will regret that the subject was ever called to other duty than that which he last adorned. Salmon P. Chase had, to an eminent degree, a judicial mind and temperament. He heard with patience and judged with impartiality the testimony of all sides, and, to a quick appreciation of the truth, he added the highest courage to judge and determine. He found the silk robes of this high office only after the care which kills had sapped the most precious vitality of his perfect physique. What he might have done as a jurist in his prime may be learned from what he accomplished as Chief-Justice in his decline. His stay upon the bench was brief, but long enough to leave on the annals of the court the name of the one rival of the great Chief-Justice Marshall.

No account of Salmon P. Chase is complete without reference to his domestic life. It made, if not the larger, certainly the more important and more graceful part. Married thrice, he lost, in each instance, soon after marriage, the fair women he had selected, and, tenderly devoted to his household, he lived to be both father and mother to the two charming girls, in whose sunny presence he seemed to garner all the peace and comfort he possessed on earth. No one can remember him, who knew him at all, separate and apart from the daughter who, inheriting his intellect and force of character, added the charm of tact and womanly beauty that made his home a *salon*, where the gracious being, queenly in her deportment and popular in her sweet condescension, wielded an influence strange to this coarse American world of ours. This lovely and accomplished woman lived in her father, sharing alike his cares and his ambitions. She seemed to

die in his death ; for her brilliant career clouded into personal and domestic sorrow from the date of his funeral, so that the sad event is doubly sorrowful, and on the monument to his memory we may write a double epitaph.

DONN PIATT.



# How Lincoln Proved Himself a Master of Men and Prevented a National Catastrophe. 1868

From the St. Louis Globe-Democrat.

The February installment of the "Lincoln History" in the Century Magazine contains chapters of peculiar interest, describing (1) the events leading up to the final removal of Gen. McClellan, (2) the financial measures undertaken by Mr. Chase and advocated by Mr. Lincoln for carrying on the war, (3) the relations between President Lincoln and Secretaries Seward and Chase, including the incident of the simultaneous resignation of the two Secretaries, and the manner in which Mr. Lincoln averted a political catastrophe. Following is an extract concerning the latter historic incident:

Mr. Seward and Mr. Chase became at an early day, and continued to be respectively, the representatives in the Cabinet of the more conservative and the more radical elements of the Republican party. Each exerted himself with equal zeal and equal energy in the branch of the public service committed to his charge; but their relative attitude toward the President soon became entirely different. Mr. Seward, while doing everything possible to serve the national cause, and thus unconsciously building for himself an enduring monument in the respect and regard of the country, was, so far as can be discerned, absolutely free from any ambition or afterthought personal to himself. He was, during the early part of the war, so intent upon the work immediately in hand that he had no leisure for practical combination; and later, when the subject of the next Presidential nomination began to be considered and discussed, he recognized the fact that Mr. Lincoln was best qualified by his abilities, his experience and his standing in the country to be his own successor.

The attitude of Mr. Chase was altogether unlike this. As we have seen, he did all that man could do to grapple with the problem of supplying the ways and means of the gigantic war. With untiring zeal and perfect integrity he devoted his extraordinary ability to the work of raising the thousands of millions expended in the great struggle which was crowned with colossal success. But his attitude towards the President, it is hardly too much to say, was one which varied between the limits of active hostility and benevolent contempt. He apparently never changed his opinion that a great mistake had been committed at Chicago, and the predominant thought which was present to him through three years of his administration was that it was his duty to counteract, as far as possible, the evil results of that mistake.

He felt himself alone in the Cabinet. He looked upon the President and all his colleagues as his inferiors in capacity, in zeal, in devotion to liberty and the general welfare. He sincerely persuaded himself that every disaster which happened to the country happened because his advice was not followed, and that every piece of good fortune was due to his having been able, from time to time, to rescue the President and the rest of the Cabinet from the consequences of their own errors. He kept up a voluminous correspondence with friends in all sections of the country. All this time, with the most facile self-deception, he believed in his own loyalty and friendship for the President, and nightly recorded in his diary his sorrow for Mr. Lincoln's fatal course.

The President was not unaware of this disposition of his Minister of Finance toward him. Presidents, in even a greater degree than Kings, are kept informed of all currents of favor and hostility about them, for besides being to an equal degree the source of favors and power, they are not surrounded by any of that divinity which

hedges the hereditary ruler; and they are compelled to listen to the crude truth from the hundreds of statesmen and politicians who surround them. And, besides this, the Secretary of the Treasury was a man too direct and too straightforward to work in the darkness. He records in his diary a singular conversation which he held with Mr. Thurlow Weed, an intimate and trusted counselor of the President, and the bosom friend of the Secretary of State:

We'd called and we had a long talk. \* \* I told him I did not doubt Mr. Seward's fidelity to his ideas of progress, amelioration and freedom, but that I thought he adhered too tenaciously to men who proved themselves unworthy and dangerous, such men as McClellan; that he resisted too persistently decided measures; that his influence encouraged the irresolution and inaction of the President in respect to men and measures, although personally he was as decided as anybody in favor of vigorous prosecution of the war, and as active as anybody in concerting plans of action against the rebels.

It is altogether probable that Mr. Weed would consider it his duty to communicate to his friends this disparaging view entertained of them by the Secretary of the Treasury; and when we consider that Mr. Chase talked and wrote in this strain to hundreds of people in regard to his associates, it is likely that they were as thoroughly aware of his opinions and utterances as if he had made them in Cabinet meeting. But Seward was, as the President once said of him, "a man without gall;" and it was the lifelong habit of Mr. Lincoln to disregard slights that were personal to himself. He had the greatest respect and admiration for Mr. Chase's capacity; he believed thoroughly in his devotion to the national cause; and seeing every day the proof of his pure and able management of the finances of the Government, he steadily refused to consider the question of the Secretary's feelings toward himself.

It was near the end of the year 1862 that an incident occurred which threatened, for a time, to deprive the Government of the services of the Secretaries, both of State and of the Treasury. A strong feeling of discontent, gradually ripening into one of hostility, had grown up in the Senate against Mr. Seward. It was founded principally upon the ground formulated by Mr. Chase in his interview with Weed, that he "adhered too tenaciously to men who proved themselves unworthy and dangerous, such as McClellan; that he resisted too persistently decided measures; that his influence encouraged the irresolution and inaction of the President in respect to men and measures;" and Mr. Sumner, who up to this time had been friendly rather than otherwise to Mr. Seward, was suddenly brought into sympathy with his opponents by discovering in the diplomatic correspondence a phrase bracketing together the secessionists and the extreme anti-slavery men for equal condemnation and criticism.

The feeling against the Secretary of State at last attained such a height in the Senate that a caucus was called to consider the matter, which resulted in a vote being taken demanding of the President the dismissal of Mr. Seward from his Cabinet. As a matter of taste and expediency this resolution later in the evening was withdrawn and another adopted in its place requesting the President to reconstruct his Cabinet, in which, although Mr. Seward's name was not mentioned, the intention of the Republican Senators remained equally clear. A committee was appointed to present the sense of the caucus to the President, but before this was carried into effect Senator King, of New York, meeting the Secretary of State, acquainted him with these proceedings, and so, with his son, the Assistant Secretary of State, at once presented their resignation to the President.

On the morning of the 19th of December

a committee of nine waited upon the President and presented him the resolutions adopted the day before. A long and earnest conference took place between the President and the committee, which was marked on both sides by unusual candor and moderation. They attacked, one by one, the Secretary of State, not for any specific wrongdoing, but for a supposed lukewarmness in the conduct of affairs, and especially for a lack of interest in the anti-slavery measures of the Administration, which they considered essential to a successful prosecution of the war.

The conference ended without other result than an appointment for the committee to call again in the evening. Lincoln at once called the Cabinet together and laid the entire matter before them. He gave them distinctly to understand that in this proceeding he was not inviting or intimating that he desired the resignation of any of them. He said he could not afford to lose any of them; that he did not see how he could get on with a Cabinet composed of raw material; and he dismissed the council with the request that they also should meet him that evening. The committee, and the Cabinet—Seward, of course, being absent—came together in accordance with the President's instruction, and each party was greatly surprised to find the other there. Mr. Lincoln was determined, however, to have a thorough and frank discussion, so that hereafter, neither in his Government nor in the Senate, should it be possible to say that there were any points between them concealed or unexplained. The President stated the case and read the resolutions of the Senators, commenting upon parts of it with some gentle severity. A general discussion then took place, marked with singular frankness, both in the attack and in the defense.

The President, though deeply distressed at the turn which affairs had taken, preserved coolness and kept his own counsel. On the morning of the 20th, in the presence of several other members of the Cabinet, who had called for further discussion of the crisis, the Secretary of the Treasury tendered his resignation. He held the written paper in his hand, but did not advance to deliver it. The President stepped forward and took it with an alacrity that surprised and, it must be said, disappointed Mr. Chase. He then at once dismissed the meeting. From the moment he saw Mr. Chase holding his resignation in his hand his way was clear before him. He at once sent an identical note to the Secretary of the Treasury and the Secretary of State, saying:

You have respectively tendered me your resignation as Secretary of State and Secretary of the Treasury of the United States. I am apprised of the circumstances which may render this course personally desirable to each of you, but after most anxious consideration my deliberate judgment is that the public interest does not admit of it. I therefore have to request that you resume the duties of your departments respectively.

The next morning Mr. Seward addressed a brief note to the President dated at the Department of State, and saying: "I have cheerfully resumed the functions of this department in obedience to your command;" and enclosed a copy of this note to the Secretary of the Treasury. Mr. Chase found his position not quite so simple as that of the Secretary of State. He did not follow Mr. Seward's example in returning to the Cabinet as promptly as he did in leaving it. He wrote him a brief letter, saying:

I have received your note and also a call from Mr. Nicolay, to whom I have promised an answer to the President to-morrow morning. My reflections strengthen my convictions that I can once honorably exit from the Cabinet no important public interest now requires my return to it. If I yield this judgment, it will be in deference to apprehensions which really seem to me unfounded. I will sleep on it.

He had seen in the face of the President the gratification which the tender of his resignation had imparted, and, returning to his house, while not entirely comprehending what had happened, he seemed conscious that he had made a misstep.



# Current Comment

and

## Legal Miscellany.

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### SALMON P. CHASE.

Born, January 13th, 1808; Died, May 7th, 1873.

The seventh Chief Justice of the United States was born in Cornish, New Hampshire, on January 13th, 1808. His youth was spent in acquiring an education, under disadvantages that have marked the careers of so many of our public men in the accomplishment of the same object. This period of his life was interrupted by a sojourn of a couple of years in Ohio, at that time almost an uninhabitable forest, with a paternal uncle, Philander Chase, who was Bishop of the Episcopal Church in that primitive State, and who contemplated making an Episcopalian clergyman of him. His sojourn in Ohio, however, did not result in accomplishing the cherished object of his uncle, but, it added considerably to his educational acquirements, so that upon his return to the maternal roof in New Hampshire, he was enabled to enter the Junior Class at Dartmouth College, which he did in 1824. His college career was characterized by a close attention to his studies, which culminated in his graduation from that institution in 1826.

After a short time spent in social recreation, he directed his steps toward the South, in which locality he had determined to cast his lot in life.

He had determined to combine the occupation of a school-teacher with his professional studies, preparatory to the practice of the law, which he had determined to pursue and make the occupation of his life. With this object in view, he left the maternal roof in New Hampshire, shortly after his graduation, and proceeded to Frederic, Maryland, in which place he hoped to estab-

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lish himself in a school. But the hope of success in that city fled in the course of a few days' stay, and with it Mr. Chase departed to Washington, where his efforts to establish a school were finally, after a hard struggle, rewarded with a reasonable success.

In September, 1827, he became a student-at-law, in the office of William Wirt, at that time Attorney-General of the United States. The time at length arrived when, his object being accomplished in pursuing the occupation of a teacher, he relinquished it and turned to the study of that profession to which he had determined to devote his life, having only taken up that of a teacher as a means to an end and to accomplish the purpose of an occupation for life.

His application for admission to the bar of Maryland was attended by a public examination as to his fitness and the length of time he had pursued his studies under the statute which made three years' study an essential prerequisite to admission to the bar of the State. The examination resulted in the admission of Mr. Chase to the bar of the State of Maryland, and was immediately followed by the preparation to remove to the West, after changing his determination to settle in Baltimore, the young lawyer declaring that "I would rather be first, twenty years hence, at Cincinnati than at Baltimore." In consequence, he departed from Washington immediately after his admission to the Maryland bar, and arrived in Cincinnati in March, 1830; was admitted to the bar of Ohio, in the following June, and at once entered, with ardor and hope, upon the active work of a lawyer's life.

Mr. Chase had, like all lawyers, and especially lawyers in a new country, strong political convictions, and had become prominent in the party which advocated them. His convictions were that slavery was an evil, and the extension of it, over and into the free Commonwealths of the North, was an evil unwarranted by the fundamental law of the land, and, in consequence, should be resisted by every lawful means in his power. This was the ruling action of his political and public life. It was, therefore, legitimate for him to become, as he did very early in his professional career, the active exponent of the unrelenting opposition of all that he conceived to be wrong in the system as regulated by law. His position as an attorney in Cincinnati, a border State having unusual commercial intercourse with the adjoining slave States, gave him unusual opportunities for professional employment in the particular line of his political conviction.

His professional engagements, invariably unaccompanied with

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compensation, in behalf of alleged runaway negro slaves was so frequent that he soon became known as the "Attorney-General for runaway negroes."

His professional and political career, therefore, led to an extremely unpopular course of conduct, involving the contesting of rights, in the courts of justice, concerning which the laws of the country were held to be universally adverse, and the advocacy of which, in the forum of the intelligent conscience of the country, were attended with peculiar disappointments and heart-burnings. There is no disappointment so keen and disheartening as the persistent denial of justice and the imposition of wrong, when the converse should prevail in the case.

It was under such a trying ordeal that a large part of the professional efforts, and all the political action of Mr. Chase occurred, for the greater part of the first half of his life.

Mr. Chase established a character as a lawyer of unflinching honesty and faithfulness to his client, uncompromising truthfulness to the principle of the law as he understood it, and a truthfulness of purpose as persistent as the needle is to the pole, in a trust undertaking. These characteristics he carried with him into public life, and whatever public position he assumed in after life.

The first political success which greeted his efforts was one effected by a compromise between the "Independent Democrats," or "Free Soilers," and the regular Democrats of Ohio, which resulted in the election of Mr. Chase to the United States Senate as a Senator from Ohio, in accordance with the conditions of which the Democrats of Ohio were to aid in the repeal of "the black laws" of that State.

It was not until the formation of the Republican organization that Mr. Chase's views upon public questions assumed a character that met with the partial approval of the people. It was, consequently, not until 1855 or 1856, that his political action did not call forth a disapproval of them in a spirit of unfriendly aggressiveness.

Accustomed, therefore, or rather schooled to entertaining opinions adverse to those with whom he was acting in political harmony, he was prepared for the bitter animosities which his action gave rise to as Chief Justice, in denying in the opinion of the Supreme Court the constitutionality of the Legal Tender Act. This act, he, as the Secretary of the Treasury, advocated; but nothing daunted, and convinced that the opinion of the Court was right, he pronounced it, although its sentiments were not in harmony with those



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whose political principles agreed with his at the time the act had been passed.

Substantial political honors, however, were awaiting Mr. Chase at the hands of a party not yet born, a party built upon those principles which were so dear to him as a lawyer and a politician, and which had been advocated by him.

His Senatorial term having expired, he received and accepted the nomination for Governor of his adopted State, to which position he was triumphantly elected, and upon the expiration of the term he was again elected, and upon the expiration of that term he was re-elected to the United States Senate, each of these nominations and elections being at the hands of the Republican party, which advocated the principles in harmony with those Mr. Chase urged during his whole life. He was, in consequence, no longer the advocate of unpopular and despised principles, but the recognized head and chosen leader of a splendid organization.

When Abraham Lincoln was elected President in 1860, by the Republican party, upon the leading principle that slavery was to be confined to the limits fixed by the people of the respective States and Territories in the Union, he invited Mr. Chase to enter his Cabinet and take the portfolio of the Treasury. Mr. Chase, therefore, resigned the United States Senatorship to which he had just been elected, although the performance of its duties would be more congenial to his tastes, and assumed the place in the Cabinet, whose responsibilities were new to him and in a measure untried.

The place called for the most vigorous intellect. The great civil war had just been precipitated upon the country, and the people of the North responded to the call of the Government for troops in a way most encouraging to the patriotism of the country. But that did not supply a bankrupt treasury and fulfill the financial promises of the Government. The enemies of the Government had taken good care that there should be an empty treasury, and a Government whose record in the financial world was such that the Secretary of Treasury, who had just abandoned that office, could not borrow the paltry sum of ten million dollars without allowing a large discount.

Among the financial measures which were adopted, and whose adoption was believed at the time to be absolutely necessary for the preservation of the Government, were the "Legal Tender Acts," under which the Government issued its promise to pay the bearer on demand. Those acts of Congress declared that such promise should be taken, as money, in payment of all individual debts and

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private debts. It is just here that the fame of Mr. Chase must bear the crucial test of a just criticism, with regard to his action concerning the legality of the issuing of these "legal tender" notes.

The limits of a magazine article forbids the analysis or discussion of the ways and means which brought forth the financial results which are a part of the history of the country from 1861 to 1865. It is more to our purpose to harmonize, if possible, the apparent conflict of this great intellect, in its workings upon the same questions at different times viewed by him from different standpoints, surrounded by different circumstances and bearing a different official relation to them; notably viewing his action, when as Chief Justice he delivered the opinion of the Supreme Court, deciding the "Legal Tender Acts" to be and to have been, at the time they were passed, unconstitutional; though these were the very acts which he, as the Secretary of the Treasury, advocated and urged Congress to enact into laws as essential to the very existence of the Government.

On the 6th of December, 1864, Abraham Lincoln, the then President of the United States, nominated Salmon P. Chase for the office of Chief Justice of the Supreme Court of the United States, an office made vacant by the death of Chief Justice Taney, in October preceding. This nomination the Senate at once confirmed, and the incumbent immediately assumed the duties of the office; these proved both arduous, troublesome, and difficult. With the cessation of hostilities in our great civil war, in the following spring, came questions of the gravest importance arising out of the war, and determining the changed relations of the States lately in rebellion, the terms upon which they had been admitted into the Union again, in short, their reconstruction, and some of the measures used by the Government in defending itself against the assaults of its enemies.

It should be stated here that it is the policy of our Government to appoint to the Federal Judiciary such men as are in harmony with the dominant political party at the time. Such has been the uniform practice of the Government with reference to the judiciary since its foundation. This peculiarity arises from the fact that questions of public policy, as well as private rights, are dependent upon how the Magna Charta of American liberty is expounded, for to those Courts all questions arising under it are referred, and by virtue of it are deferred. The interpretation of the Constitution depends, therefore, upon the political predilections and con-

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victions of the Federal Judges, who are divided into two schools, viz. : the strict constructionists and the liberal constructionists, or, those who see powers hidden in its terms, to be developed as the times and exigencies demand, and those who see only those powers conferred which are literally and simply expressed in words.

At the time of Mr. Chase's elevation to the office of Chief Justice, these two schools of constructionists were represented by the Democratic and Republican political parties. The former were the strict constructionists and the latter were the liberal constructionists. To the latter Mr. Chase belonged at the time of his appointment, as did also Mr. Lincoln, who appointed him.

The first great trial, conspicuous on account of the high officer on trial, the nature of the tribunal, and the rarity of the occurrence, was the impeachment trial of Andrew Johnson, President of the United States.

It occurred, as the Constitution provided, before the Senate of the United States, which constituted a high court of impeachment with the Chief Justice as the presiding officer over its deliberations. It was the first time in the history of the country that a President of the United States was impeached, and the first time the Chief Justice was the presiding officer of the Senate when sitting as a high court of impeachment, and the Senate being a body in which an *esprit du corps* of a high order prevailed, they regarded the ruling of the Chief Justice as that of a foreign body injected into them, and, therefore, as hostile ; in consequence, his rulings upon questions of evidence were viewed with a jealous eye by the body over which he presided ; but on every question submitted his ruling was such as not unduly to excite that body ; a sensitiveness, of which he was well aware, prevailed in that body ; only once when the excitement of the hour seemed to be concentrated in the question whether the Chief Justice had a casting vote on the question whether the judgment of the Chief Justice shall stand as the judgment of the Senate. The Chief Justice : "On this question the yeas are 25 and nays 25. The Chief Justice votes in the affirmative. The Senate will retire for conference." Thus giving the Senate an opportunity of vindicating itself in retirement.

The known friendship of the Chief Justice for the accused President tinged all his actions on the trial with a shadow of suspicion, whether justly or unjustly, it is not our purpose to elucidate in this article, it is sufficient to say that the passions of all parties were strained to the utmost tension, and are not cooled to the present day so as to enable a man who was an actor in political life



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at that time to pass a cool and unbiased judgment. They were passions that grew out of the war and tried men's souls, and were not of an ordinary character. It is doubtful whether a just judgment can be rendered upon the actions of the Chief Justice in that trial or of his opponents. He apparently maintained the dignity of his high office, and his own.

The question of the constitutionality of the Acts of Congress declaring the promises to pay of the Government to be money in the sense that a tender of them in payment of a private debt was a lawful tender, and acquitted of the debt for which they were tendered, came in due time before the Supreme Court for its adjudication, and his action in declaring those acts unconstitutional is severely animadverted by a large class of citizens, and the soundness of his law, and his motive in reaching the decision he did, is questioned by many, among whom are not a few lawyers of eminent ability and standing as constitutional lawyers.

The question arose and was decided in the following way and on the following reasons: On the 20th of June, 1860, Mrs. Hepburn made a promissory note, by the terms of which she promised to pay Henry Griswold on the 20th of February, 1862, eleven thousand two hundred and fifty dollars. Five days after the note became due the legal tender act was approved by the President, and became a law of the land. The note not being paid at maturity, suit was brought upon it in March, 1864, in the Louisville Chancery Court, when she tendered twelve thousand seven hundred and twenty dollars in United States legal tender notes, that being the amount of Griswold's claim on the note, principal and interest. This tender was refused, because it was alleged not to be a lawful tender, notwithstanding the Acts of Congress. The notes were then tendered and paid into Court, the Chancellor "resolving all doubts in favor of the Act of Congress," declared the tender good, and adjudged the debt, interest and costs, to be satisfied accordingly. Griswold, however, appealed the case to the Court of Errors of Kentucky, where the Chancellor's judgment was reversed and the case remanded with instructions accordingly. Mrs. Hepburn then carried it to the Supreme Court of the United States, where it was first argued at the December term, 1867, and at the December term, 1868, it was elaborately reargued, specially with reference to the constitutional question. It was not decided until at the December term, 1869, when the legal-tender act was declared unconstitutional. The Court was constituted, at the time of the argument and decision of the case, of the following eight

judges: Chief Justice Chase, and Associate Justices Nelson, Clifford, Grier, Field, Miller, Swayne, and Davis.

Five of the eight, viz. : Chief Justice Chase, and Associate Justices Nelson, Clifford, Grier, and Field, concurring in the decision of its unconstitutionality, the opinion of the Court having been prepared by the Chief Justice, Chase ; and the three Associate Justices Miller, Swayne, and Davis concurring in an opinion prepared by the first of the three named holding the acts constitutional. It will be seen that the Chief Justice's casting vote decided the acts unconstitutional, for had he voted in favor of their constitutionality, the Court would have been evenly divided, four for and four against.

The opinion of both the majority and the minority of the Court, accepted the exposition of the Constitution as made by Chief Justice Marshall, in the case of *McCulloch v. The State of Maryland*, 17 U. S. (4 Wheat.) 424, fifty years before, in 1819, in which case he, and a *unanimous court*, decided that the Act of Congress incorporating the Bank of the United States was a law made in pursuance of the constructive or implied powers conferred upon Congress by the Constitution, and, in consequence, was a part of the supreme law of the land, although there were no express words in that instrument authorizing Congress to create a bank ; or, to incorporate a corporation, but these powers to pass the act mentioned was an incident of the powers conferred upon Congress by it.

It may be said that an act to incorporate a bank is different from one making the promises of the Government money with which to pay private debts ; and yet it is under the same clause of the Constitution that that power is invoked and exercised, viz. : that clause of Section 8 of Article I, which provides that : "The Congress shall have power \* \* \* to make all laws which shall be necessary for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or officer thereof."

Let us proceed to examine whether the principles of construction of that instrument, as propounded by Chief Justice Marshall, and a unanimous Court, were followed in the Legal-Tender cases or not.

In the case of *Hepburn v. Griswold*, 7 U. S. (8 Wall.), that being the original Legal-Tender case, Chief Justice Chase, in delivering the opinion of the majority of the Court deciding the Legal-Tender acts unconstitutional, says : "We must inquire, then, whether this can be done in the exercise of an implied power. The rule for determining whether a legislative enactment can be

supported as an exercise of an implied power, was stated by Chief Justice Marshall, speaking for the whole Court, in the case of *McCulloch v. The State of Maryland*, 4 Wheat. 421, and the statement then made has ever since been accepted as a correct exposition of the Constitution. His words were these: 'Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the Constitution are constitutional.' And in another part of the same opinion the practical application of this rule was thus illustrated. 'Should Congress, in the execution of its powers, adopt measures which are prohibited by the Constitution, or should Congress, under the pretext of executing its powers, pass laws for the accomplishment of objects not intrusted to the Government, it would be the painful duty of this tribunal, should a case requiring such a decision come before it, to say that such an act was not the law of the land. But where the law is not prohibited, and is really calculated to effect any of the objects intrusted to the Government to undertake here to inquire into the degree of its necessity, would be to pass the line which circumscribes the judicial department, and tread on legislative ground.'" 4 Wheat. 423.

Associate Justice Miller, who delivered the dissenting opinion, in which Associate Justices Swayne and Davis concurred, in quoting from the same case, says: "In the memorable case of *McCulloch v. The State of Maryland*, 4 Wheat. 316, the most exhaustive discussion of this clause," (that quoted above from Section 8, Article I of the Constitution), "is found in the opinion of the Court by the same eminent expounder of the Constitution. That case involved, it is well known, the right of Congress to establish the Bank of the United States, and to authorize it to issue notes for circulation. It was conceded that the right to incorporate or create such a bank had no specific grant in any clause of the Constitution, still less the right to authorize it to issue notes for circulation as money. But it was argued, that as a means necessary to enable the Government to collect, transfer, and pay out its revenues, the organization of a bank with its function was within the power of Congress. In speaking of the true meaning of the word 'necessary' in this clause of the Constitution, he says: 'Does it always import an absolute necessity so strong that one thing to which another may be termed necessary cannot exist without it? We think it does not. If reference be had to its use in



the common affairs of the world, or in approved authors, we find that it frequently imports no more than that one thing is convenient or useful or essential to another. To employ means necessary to an end, is generally understood as employing any means calculated to produce the end, and not as being confined to those single means, without which the end could be entirely unattainable. The word "necessary" admits, he says, of all degrees of comparison. A thing may be necessary, very necessary, absolutely or indispensably necessary. \* \* \* This word, then, like others, is used in various senses, and in its construction the subject, the extent, the intention of the person using them are all to be taken into view. Let this be done in the case under consideration. The subject is the execution of those great powers on which the welfare of a nation essentially depends. It must have been the intention of those who gave these powers to insure, so far as human prudence could insure, their beneficial execution. This could not be done by confining the choice of means to such narrow limits as not to leave it in the power of Congress to adopt any which might be appropriate, and which were conducive to the end. This provision is made in a Constitution intended to endure for ages to come, and, consequently, to be adapted to various crises of human affairs. To have prescribed the means by which the Government should in all future time execute its powers would have been to change entirely the character of the instrument, and give it the properties of a legal code. It would have been an unwise attempt to provide by immutable rules for exigencies which, if foreseen at all, must have been but dimly, and which can best be provided for as they occur. To have declared that the best means shall not be used but those alone, without which the power given would be nugatory, would have been to deprive the Legislature of the capacity to avail itself of experience to exercise its reason, and to accommodate its legislation to circumstances.'

"I have cited at unusual length these remarks of Chief Justice Marshall, because, though made half a century ago, their applicability to the circumstances under which Congress called to its aid the power of making the securities of the Government a legal tender, as a means of successfully prosecuting a war, which, without such aid, seemed likely to terminate its existence, and to borrow money which could in no other way be borrowed, and to pay the debt of millions due to its soldiers in the field, which could by no other means be paid, seems to be almost prophetic. If he had had clearly before his mind the future history of his country, he

could not have better characterized a principle which would in this very case have rendered the power of carrying on war nugatory, which would have deprived Congress of the capacity to avail itself of experience, to exercise its reason, and to accommodate its legislation to circumstances by the use of the most appropriate means of supporting the Government in the crisis of its fate."

Thus, the Legal-Tender Acts of Congress were declared unconstitutional, in a lawful manner, by the highest tribunal in the land, the Court of last resort. But the Court required reorganization, for Justice Grier, full of honors and years, under the weight of the latter, retired from its deliberations and active duties, that decision being the last one in which he participated. To fill the vacancy caused by his retirement, William Strong, of Pennsylvania, was appointed, and an act of Congress having, in the meantime, been passed increasing the number of judges that constituted the Supreme Court, from seven Associate Justices and one Chief Justice to eight Associate Justices and one Chief Justice, the President appointed Joseph P. Bradley to the new position thus created. When, then, the Court was reorganized, a case arose and was submitted to it involving the same question of the unconstitutionality of the Legal-Tender Acts; and so anxious was the feeling of the country that the consideration of that question was urged upon the Supreme Court. Again the question was decided by a divided Court, in the cases known as *Knox v. Lee*, and *Parker v. Davis*, reported in 79 U. S. (12 Wall.) 459, but this time the majority of the Court decided that the acts were constitutional.

Again, in this opinion, both the majority and the minority of the Court based their decision upon that of Chief Justice Marshall, Justice Strong saying, in the cases of *Knox v. Lee* and *Parker v. Davis*, "It is, however, in *McCulloch v. Maryland* that the fullest consideration was given to this clause of the Constitution" [the clause that provides that "Congress shall have power \* \* \* to make laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or officer thereof"] "granting auxiliary powers and a construction adopted that has ever since been accepted as determining its true meaning. \* \* \* Even in *Hepburn v. Griswold*, 8 Wall. 603 (75 U. S. 513), both the majority and minority of the Court concurred in accepting the doctrines of *McCulloch v. Maryland* as sound expositions of the Constitution, though disagreeing

in their application." There are numerous other extracts from the case of *McCulloch v. Maryland* in the same opinion.

In the opinion of Justice Bradley, which was a concurrent opinion with that of Justice Strong, he says: "A parade of authorities would serve but little purpose after Chief Justice Marshall's profound discussion of the powers of Congress in the great case of *McCulloch v. Maryland*, 4 Wheat. 424."

Chief Justice Chase in his opinion dissenting from the majority, says: "The rule by which the constitutionality of an Act of Congress passed in the alleged exercise of an implied power is to be tried is no longer in this Court open to question. It was laid down in the case of *McCulloch v. Maryland*, 4 Wheat. 421, by Chief Justice Marshall in these words: 'Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate to that end, which are not prohibited but consistent with the letter and spirit of the Constitution are constitutional.'"

Justice Clifford, in his opinion dissenting from the judgment of the majority, says: "Twenty-five years later the question was examined by the Supreme Court *and authoratively settled*, the Chief Justice giving the opinion."

Justice Field, in his opinion dissenting from the majority, says: "The interpretation given by Mr. Hamilton was substantially followed by Chief Justice Marshall in *McCulloch v. Maryland*, when speaking for the Court, he said that if the end to be accomplished by the legislation of Congress be legitimate, and within the scope of the Constitution, 'all means which are appropriate, which are plainly adapted to that end, and which are not prohibited, but are consistent with the letter and spirit of the Constitution, are constitutional.'"

Although the question was decided by the highest tribunal in the land, the tribunal of last resort, and had been decided, first, that the acts were unconstitutional, and again that they were constitutional, the question was raised a third time. This time after the *personnel* of the Court had been considerably changed in the natural way of vacancies occasioned by death and appointments to fill the vacancies thus occasioned. So complete was the reorganization of the Court that but two of the justices were members of it when the same question was submitted to it for decision in the case of *Millard v. Greenbaum*, 110 U. S. 424, that were members of it when the original case of *Hepburn v. Griswold* was decided. These justices were Miller and Field, the former of whom had delivered the minority opinion, dissenting from the opinion of the majority,



holding the acts to be unconstitutional, and the latter being one of the majority in that decision and delivering a dissenting opinion from that of the majority in the cases of *Knox v. Lee* and *Parker v. Davis*, 79 U. S. (12 Wall.) 457.

This third time the question was raised and decided occurred in the case of *Millard v. Greenbaum*, 110 U. S. 421, on the 3d of March, 1884. Mr. Justice Gray delivered the opinion of the Court, to which there was only one dissentient, Mr. Justice Field. Again the Court felt bound, by the opinion of Chief Justice Marshall, in the case of *McCulloch v. Maryland*, 17 U. S. (4 Wheat.) 421. After quoting from the decision in *McCulloch v. Maryland*, and accepting the exposition of the Constitution as therein made, Mr. Justice Gray continued, "To quote once more from the judgment in *McCulloch v. Maryland*, 'where the law is not prohibited, and is calculated to effect any of the objects intrusted to the Government to undertake here to inquire into the degree of its necessity would be to pass the line which circumscribes the judicial department, and to tread on legislative ground.'" (4 Wheat. 423.)

And Mr. Justice Field says: "In determining what measures may be adopted in executing the powers granted, Chief Justice Marshall declares that they must be appropriate, plainly adapted to the end, not prohibited, and *consistent with the letter and spirit of the Constitution*."

This case closes the history of the controversy over the Legal-Tender Acts of Congress, and closes it with the doctrine as firmly established as a decision by a human tribunal can possibly be, that Congress has the power to enact such laws whenever the exigencies of the country are such as in the judgment of Congress deem it necessary.

We have thus been particular and copious in our extracts from the various opinions delivered by the individual judges and the Court collectively, in order to show with what unanimity they agreed that the very clause of the Constitution which they were called upon to construe, in a legal way, was the clause construed by Chief Justice Marshall and a unanimous Court fifty years before, when the country was enjoying peace, and the representatives of strict construction had not yet gained judicial positions; and, further, to show that not only the legal propositions which Chief Justice Marshall had laid down were accepted as the law governing the constitutional powers vested in Congress, but that also his reasoning in *McCulloch v. Maryland* was sound and applicable to

the legal-tender cases. In short, that the case of *McCulloch v. Maryland*, in construing the clause of the Constitution which conferred upon Congress the implied power to charter a bank of issue, was virtually declaring the power to enact the legal-tender acts; so that, in point of fact, the constitutionality of the legal-tender acts was declared before the acts were passed by Congress.

In his dissenting opinion, Chief Justice Chase, in the cases of *Knox v. Lee* and *Parker v. Davis*, 79 U. S. (13 Wall.) says: "The rule by which the constitutionality of an Act of Congress passed in the alleged exercise of an implied power, is to be tried, is no longer, in this Court, open to question. It was laid down in the case of *McCulloch v. Maryland*, 4 Wheat. 421, by Chief Justice Marshall, in these words: 'Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited but consistent with the letter and spirit of the Constitution, are constitutional.'"

To revert, now, to the quotation made in this article on page 584, from the opinion of Chief Justice Chase in the case of *Hepburn v. Griswold*, which is itself a quotation from the opinion of Chief Justice Marshall, in the case of *McCulloch v. State of Maryland*, 17 U. S. (4 Wheat.) 316, it is to be remarked that whilst Chief Justice Chase professes to find the law to be expounded on the question under discussion in *Hepburn v. Griswold*, to have been judicially expounded by his predecessor, Chief Justice Marshall, the foremost expounder of the Constitution of the United States, in his day or since, in the case of *McCulloch v. Maryland*, he quotes only those portions from the latter opinion which are found in the above quotation.

The first paragraph of which is a proposition of law predicated upon a state of facts which are only supposed to exist. Under which state of facts the power of Congress would be legitimately and constitutionally exercised; for those powers lie dormant within the folds of the Constitution until the exigencies of the country call them into existence and exercise. From that state of facts the Chief Justice draws the conclusion of law, and crystallizes a proposition of law which is quoted by Chief Justice Chase, but the facts which were but an idle dream when Chief Justice Marshall crystallized them into propositions of law, became actual living facts at the time Chief Justice Chase was called upon to pass, judicially, upon the question raised in *Hepburn v. Griswold*.

But these facts are carefully excluded from the opinion in *Hep-*

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*burn v. Griswold* by Chief Justice Chase, not even an illusion to the fact that the country was laboring in the throes of a great civil war, and it was deemed by Congress necessary for the salvation of the Government to pass the measure under consideration by the Court. A reading of the opinion will not acquaint the reader with this fact, nor is there any allusion in it which will inform him that the Government was, at the time the measure was enacted, fighting for its very existence, and the measure under consideration was one of the measures that contributed to the salvation of the Government.

The second paragraph in the quotation alluded to appears in the original opinion two pages subsequent to the first, that is to say, in page 423, and is a proposition of Chief Justice Marshall, which defines what would be the effect of Congress exercising an unconstitutional power by authorizing a prohibited act. Yet a careful reader of the opinion of Chief Justice Chase, in *Hepburn v. Griswold*, will look in vain for the portrayal of the actual facts or condition of the country at the time the acts under discussion were passed. Even the personal part he took in the very measure under discussion seems to have been blotted out of his memory. It is true that in the cases of *Knox v. Lee* and *Parker v. Davis*, 99 U. S. (12 Wall.), he alludes to some of the facts, not only in a way that will justify him, in his opinion, in deciding the act unconstitutional.

Would it not have been well and good withal, for the Chief Justice to have recalled the exigencies of the country, as they actually existed at the time the acts were passed, substituting the facts which appeared to Chief Justice Marshall in his prophetic vision for the actual condition of the country as it verily existed, and applying that actual condition of things as they existed, under the pressure of which Congress was induced to pass the measure it did as a means to accomplish a legitimate end; applying the facts as they existed should have led to the deductions of law which Chief Justice Marshall, in the case of *McCulloch v. Maryland*, had made, and led to the conclusion that the acts of Congress were made in pursuance of power vested in the discretion of the National Legislature, by the Constitution.

The facts thus applied would have led to the judicial inquiry: Had the Government the constitutional power to defend itself against its enemies? To which the answer must have been, in the light of existing facts, It did have that power, and in the exercise of it, it re-established and rehabilitated itself with all the powers of a *de facto* and *de jure* government, and in the language of Chief



Justice Marshall in *McCulloch v. Maryland*, "Let the end be legitimate, let it be within the scope of the Constitution, *and all means which are appropriate*, which are plainly adapted to that end, which are not prohibited, *but consist with the letter and spirit of the Constitution, are constitutional.*" The italics are ours, for the sake of emphasis.

Under such circumstances it would have been found that that language of Chief Justice Marshall would have applied. "The end (was) legitimate," that is, for the Government to defend itself; "it (was) within the scope of the Constitution," to wit, for the Government to defend the Constitution which embodied its existence; that "all means which are appropriate, which are plainly adapted to that end, which are not prohibited but consist with the letter and spirit of the Constitution, are constitutional." That is to say, any act of Congress which was considered necessary to accomplish a constitutional end was a constitutional act: So that the opinion of *McCulloch v. Maryland*, rightly applied, and in its legitimate meaning meant that any act of Congress passed in accomplishing an end which was itself constitutional was constitutional.

An enlarged quotation from the opinion of Chief Justice Marshall will throw additional light upon the subject under discussion; on the same page, to wit, 421, but preceding the above quotation, it appears as follows: "But we think the sound construction of the Constitution must allow to the national legislature that discretion with respect to the means by which the powers it confers are to be carried into execution, which will enable that body to perform the high duties assigned to it in the manner most beneficial to the people." Then follows the quotation above-cited from the opinion of Chief Justice Chase, viz.: "Let the end be legitimate," etc.

W. D. LUCKENBACH.

(To be continued.)

CURRENT COMMENT AND LEGAL MISCELLANY, for September, contains the continuation of the article, "Roger Brooke Taney," with portraits; also an article on "Taxation of Churches," by Frank McGloin, the editor of *Holy Family Journal*, a Roman Catholic publication. Of course, Mr. McGloin is opposed to the taxation of church property, and he undertakes to distinguish between church buildings and school, convent, and charitable institutions. "New York Deeds" and "Sunday Rest" are excellent articles.—*The Free Methodist*.

The fight of legal tender had been won, and won on the ground stated by Thaddeus Stevens in the opening sentence of his speech: "This bill is a measure of necessity, not of choice." The act had been passed and approved. We could issue \$150,000,000 in currency at once, \$50,000,000 would pay the demand notes, leaving \$100,000,000 to pay our soldiers and carry on the war for some months to come.

We had also gained our first military success. Grant had captured Forts Henry and Donelson, and was pushing for Nashville. The clouds seemed to be breaking away, and the future to look more hopeful.

I was therefore surprised when one afternoon late in February, 1862, President Lincoln entered the Register's room with as sad a look as I ever saw upon his careworn face. He dropped wearily into a seat he had previously chosen, and after a short silence exclaimed:

"What have you to say about this legal-tender act? Here is a committee of great financiers from the great cities who say that, by approving this act, I have wrecked the country. They know all about it—or they are mistaken."

"You have done nothing of the kind," I said. "The time for argument has passed. Legal tender is inevitable. The gentlemen you mention have made it a necessity. The people would take our notes without the legal tender clause. The banks and the copper-heads will not. We cannot risk the country in their hands. You have followed your own good judgment in signing the act. The people will sustain you and Secretary Chase and Congress."

"I do not see that I am exclusively responsible," he continued. "I say to these gentlemen, 'Go to Secretary Chase, he is managing the finances.' They persist, and have argued me almost blind. I am worse off than Saint Paul. He was in a strait betwixt two. I am in a strait betwixt twenty, and they are bankers and financiers."

"You are right in signing the act," I said; "that point has passed debate."

"Now that is just where my mind is troubled," he continued. "We owe a lot of money which we cannot pay; we have got to run in debt still deeper. Our creditors think we are honest, and will pay in the future. They will take our notes, but they want small notes which they can use among themselves. So far I see no objection, but I do not like to say to a creditor you shall accept in payment of your debt something that was not money when it was contracted. That doesn't seem honest, and I do not believe the Constitution sanctions dishonesty."

"No more do I," I replied. "I do not claim that legal tender can be upheld as an abstract right under the constitution. But self-preservation is a right higher than the Constitution. We are warranted in making any sacrifice of property or political right to save the Union. Gold and silver are beyond our reach; our soldiers must be paid and fed and clothed. We can issue Treasury notes, and circulate them as currency. It is right and honest that we should give them the quality of legal tender, provided we return to specie as soon as the necessity has passed. I have watched the debates in Congress. I have read the opinion of your Attorney-General. There are those who hint and suggest that legal tender is provided for in the Constitution. I have read no speech in which that right is broadly asserted. I believe it safer to defend our position on the ground of necessity."

"I understand that is Chase's ground, though he does not put it so strongly. We shall see. We will wait to hear from the country districts, from the people."

He again relapsed into silence, which I did not interrupt. Then he said, "When the old monks had tired themselves out in fighting the devil, did they not have places to which they retired for rest, which were called *retreats*?"

"They did," I answered; "though I understand they were for spiritual rather than bodily recuperation."

"I think of making this office one of my *retreats*," he said. "It is so quiet and restful here. Do you never get discouraged?"

"I shall be delighted to have you," I said, ignoring his question. "I only wish I could say of it, as Father Prout sang of the Groves of Blarney,

no more of that ballad," he exclaimed, cheerily. "I like its jingle. What an Irish conceit that is—'conversation in sweet solitude.'"

"I fear I cannot. I must send you the book. I only remember,

"There's statues gracing this noble place in,  
All heathen goddesses so fair,  
Bold Neptune, Plutarch, and Nicodemus,  
A-standing naked in the open air."

"I must have that book to-night," he said. A good Irish bull is medicine for the blues."

He left the office actually to the sound of his own musical laugh. He sent for the book—a copy of Crofton Croker's *Popular Songs of Ireland*. It is before me now; priceless almost, when I remember that it once gave Abraham Lincoln some pleasure, some respite from his cares.

This story may possibly be regarded as trivial, but it tends to show with what intense earnestness the President bore his grave responsibilities, and that he seized upon an amusing story or volume because it diverted him for the moment, and strengthened rather than weakened his capacity for his graver duties. I think it tends also to illustrate the simple honesty of his mind. Had Mr. Lincoln been preserved to the republic I do not believe that the question of legal tender would have been carried into the Supreme Court of the United States. The weight of his influence, never so powerful as on the day of his death, would have been thrown in favor of commencing the retirement of the legal tender notes at the close of the war, and the return to a specie basis at the earliest date consistent with prudence and discretion.

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J WRIGHT



lishing serially a so-called life of that illustrious man whose own motto of charity for all and malice toward none does not guide them in their work. In the earlier chapters bitter and relentless war was made by those biographers upon Douglas and Shields. As the story developed they assailed McClellan, who was restored to the command of the army of the Potomac for the purpose of winning the battle of Antietam, and that accomplished was removed. These authors do not seem to understand, as Lyman Trumbull declared in a letter printed in the Times of yesterday, that "Mr. Lincoln's fame is established upon too firm a foundation to be shaken by anything that can now be said, and needs not the disparagement of others to make it illustrious and immortal." They seem to assume that his reputation is in their hands and that having enjoyed his favor they are bound to deal out damnation to every one they deem his foe.

In a recent number of their work these ci-devant clerks of the white house, who have enjoyed since Mr. Lincoln's death various profitable federal posts, describe Chase's attitude toward Lincoln during the time the great secretary of the treasury sat in the Lincoln cabinet as "one that varied between the limits of active hostility and benevolent contempt." In the attempt to furnish particulars for this generalization they assume in what purports to be a grave historical work to quote from the letters and diaries of the secretary, Mr. Shuckers, formerly secretary to Mr. Chase, whose biography he has written, furnished the Times with incontestable evidence of the total unfitness of Nicolay and Hay for the task of writing other than a grossly partisan account of Lincoln's life and times. They stoop to the unspeakable literary meanness of stopping short in the middle of a sentence of Chase's and omitting to quote its context that color may be given to the claim that in his treatment of Lincoln, Chase hovered between hostility and contempt. Mr. Schuckers demonstrates in his noble paper that he is a keener, abler, more conscientious narrator of facts than the authors who are doing Lincoln more harm than good.

There was a time during the progress of the long, bloody, costly war, filled with the story of blunder, disaster, and awful and needless sacrifice of life, when it was deemed possible that Chase would receive his party's nomination for the presidency in 1864. Roger Taney died in that year, after twenty-eight years of successive service as chief justice of the United States, and Mr. Lincoln hastened to give the appointment to Salmon P. Chase, the man who according to Lincoln's biographers, had in his treatment of the president shown anything but a loyal and judicial mind. Mrs. Sprague, Mrs. Chase's daughter, declared at the time that they had shelved her father. When he went upon the bench, where he remained until his death in 1873, Chase, though not wholly unconsidered in large politics, was, as his daughter declared, shelved. Mr. Lincoln's indiscreet biographers may have some difficulty in explaining why it came that a man whose conduct they characterize as well-nigh infamous should be selected by Mr. Lincoln, whom he had treated with benevolent contempt, for the highest judicial position in the land?—Chicago Times.

On the story goes that, after the death of Chief Justice Taney and before the appointment of Mr. Chase in his stead, a committee of citizens from the Philadelphia Union League, with a distinguished journalist at their head as chairman, proceeded to Washington for the purpose of laying before the president the reason why, in their opinion, Mr. Chase should be appointed to the vacancy on the bench. They took with them a memorial addressed to the president, which was read to him by one of the committee. After listening to the memorial, the president said to them, in a deliberate manner: "Will you do me the favor to leave that paper with me? I want it in order that, if I appoint Mr. Chase, I may show the friends of the other persons for whom the office is solicited by how powerful an influence and by what strong personal recommendations the claims of Mr. Chase were supported."

The committee listened with great satisfaction, and were about to depart, thinking that Mr. Chase was sure of the appointment, when they perceived Mr. Lincoln had not finished what he intended to say. "And I want the paper, also," continued he, after a pause, "in order that, if I should appoint any other person, I may show his friends how powerful an influence and what strong personal recommendations I was obliged to disregard in appointing him." The committee departed as wise as they came.

1865

Here is a characteristic story about President Lincoln, which, a New York Tribune correspondent is assured, has never gotten into print.

"Shortly after William Pitt Fessenden had been appointed Secretary of the Treasury, to succeed Chase," said his informant, "Mr. Lincoln happened to meet the latter; and upon an inquiry by the future Chief Justice as to how matters looked generally, Mr. Lincoln quietly remarked:

"O, pretty well! pretty well! The only thing is that I've had a little trouble about the Cabinet, but it's all happily settled now, I'm glad to say."

"Why, how is that, Mr. President?" queried Chase in earnest and sympathetic tones; "I'm sure it could not have been anything very serious."

"No, not at all, not at all!" cried the President in his cheery way. "You see," he continued, dropping his voice a little, and with a merry twinkle in his eye, "although I am by no means an extremist myself, still I have always been devoured by an over-mastering anxiety regarding the religious tenets and profession of faith held by the various members of my official family. Now, Fessenden is quite a recent addition to the Cabinet and I have been a little undecided where to place him, in a religious point of view."

"Well, Mr. President," timidly ventured Chase, "I'm glad you satisfied yourself upon such an important point."

"Oh, yes!" responded Lincoln, "I haven't the slightest doubt upon the subject now. You see Fessenden is a pretty evenly balanced man, but once in a while he gets real, hoppin' mad, and then he swears so all-fired hard, just like Seward, that I know, sure as faith, that he's an Episcopalian."

The mysteries of finance were not always clear to Mr. Lincoln, whose statesmanship was of another sort. But his keen sense of humor would not permit him to regard the difficult subject as too profound for an occasional joke.

One day Secretary Chase of the treasury department found on a desk in his office what at first appeared to be a picture of an "infernal machine."

It looked like a goose, but on further examination it proved to be a drawing of an ingenious invention for turning gold eagles into greenbacks, with the secretary himself working it and slowly feeding it with "yellow boys" at one end, while the government currency came out at the other end, whirling about like the leaves of autumn.

While he was examining it the president came in, as he daily did, for consultation. Mr. Chase handed him the drawing, and his eyes twinkled as he recognized the likeness of the secretary.

"Capital joke, isn't it, Mr. Chase?" he exclaimed.

"A joke!" repeated the irate secretary. "I'd give a thousand dollars to know who left it here!"

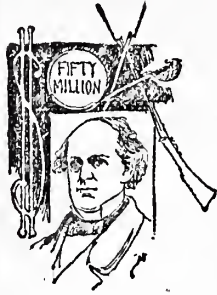
"Oh, no," said Mr. Lincoln temperately, "you would hardly do that."

"Yes, I would!" stoutly asserted the secretary.

"Would you, though?" inquired the president, with that deliberate manner which characterized him when he was really in earnest. "Well, which end would you pay from?"—Youth's Companion.



Written for The Republic by E. J. Edwards.



LL the world knows the story of the swiftness with which the volunteer army was put into the field soon after the outbreak of the Civil War in 1861, but very few people ever heard about the manner in which another force was raised at that time, which was per-

**SALMON P. CHASE.** haps of more importance to the Federal cause just then than that great army was.

When Roscoe Conkling, then a young man only a little past 30, delivered a speech in the House of Representatives soon after the fall of Fort Sumter, he astonished men who were even older than himself by declaring that war in these times was without romance, was a cruel and humdrum proceeding and that it was determined not so much by men and battles as it was by the power of money. Other things being equal, Mr. Conkling declared, that side which has the most wealth, the greatest resources, will win in modern time wars, and he asserted that it was of more importance to the Federal Government that gold be secured just then than that armies be raised.

Mr. Conkling knew what the country did not, that President Lincoln and his Cabinet were very anxious at that time because the Government had no money to speak of, and it was not very clear how money could be raised for the immediate and extraordinary expenses. The credit of the Government was not as good then as it is now, and it was well known that it would be very difficult to borrow gold.

Salmon P. Chase was Secretary of the Treasury, and many an anxious night did he spend in trying to devise some plan to raise money for the immediate and unexpected expenses which the outbreak of the war was causing. There was a troubled look upon Mr. Lincoln's face at that time, which was believed by those who saw it and did not know the reason to be entirely caused by the great responsibility which the coming of the war and the placing of the army in the field had put upon him.

But that was not what gave Mr. Lincoln his greatest anxiety. He knew that volunteers would be plenty, but he wondered where the Government was going to raise on the instant the gold which it needed. One day a gentleman called upon the President and said to him that it was inspiring to see men come from the farms and the shops in response to his call for volunteers, and this man added that such a spectacle ought to convince anyone that the war would be of short duration.

"Ah," replied the President, "it is not men that we need now so much as it is gold. We want gold immediately, and I confess that it is a greater problem how to get it than it is how to secure volunteers."

A day or two later this gentleman was riding on a street car in New York City with a banker, now living, to whom this conversation with Lincoln was narrated. It was an accidental meeting and a chance conversation, but it proved to be a fortunate accident. The banker thought a good deal about this anecdote, and some days later he went among his banking friends and he said to them: "Now, it seems to me that we have a very important interest in this matter aside from any national feeling. If this war should prove a failure for the North, our property would be depreciated and very likely many of

our banks destroyed. Therefore, I think we ought to take some risks. I think so outside of any other consideration as a purely business proposition," and he found that nearly all the bankers with whom he talked were of the same opinion.

So they agreed to send indirectly a hint to the Secretary of the Treasury that it might be well if he paid a visit to New York and

he met in the luxurious parlors of a banker in Fifth Avenue 8 or 10 bank presidents. These men controlled many millions of capital and of gold. With Mr. Chase they talked the matter over until dawn. They agreed with him that they ought to take some risks, perhaps great ones, to aid the Government, even from purely selfish motives if for no other reason. And before the meeting adjourned these men had agreed to raise \$50,000,000 in gold and to loan this wealth to the Government immediately, taking in return therefor the obligations of the Government to pay it back with interest.

Now, that was a great risk. If the war failed nobody could tell what the obligations of the Government would be worth, or how soon it would be able to pay them off.

A few days later the newspapers published a report that some of the banks of New York, Philadelphia and Boston had sent to the Treasury the enormous sum of \$50,000,000 in gold. To the public this paragraph was of little interest, because popular excitement was at fever heat on account of the assembling of the soldiers and their departure for the seat of war. Yet really this news was of far more consequence than the story of the gathering of the armies was. It revealed to the business world that the great bankers of the nation had decided to give their support to the Federal cause, and in Europe the great men said, "Ah, if the bankers are willing to put up their gold to support the Government, then Mr. Lincoln has a greater power than even his armies can give him." And this proved to be the case. Within a year the banks had loaned \$100,000,000 more in gold, the credit of the Government was established, and it was evident that, as Conkling had predicted, the greater resources of the North would be likely to prevail in the end.

So it may be said that perhaps the result of that colossal war was determined on that night when the bankers met in a parlor of the Secretary of the Treasury and promised to loan the Government \$50,000,000; and may be but for the chance meeting of the banker with a gentleman who had chatted with President Lincoln the course of affairs in that critical time would have been different

2, 1892).

## LINCOLN AND CHASE

### F. E. Spinner—Treasurer of the U. S.

112. Four page (ALS) on Treasury Stationery, Washington, July 9, 1864, on Lincoln and Chase. Chase was Sec'y of the Treasury in Lincoln's cabinet. He was also a contender for the President nomination in 1864. He resigned from the cabinet a week before this letter was written. Lincoln made him Chief Justice of the United States. Spinner wrote in part: "That which is an enigma to you is equally so to nearly all the friends of Mr. Chase and the President. There have been causes of irritation between the members of Mr. Lincoln's cabinet for some time, mainly growing out of the abuse of Gov. Chase by Gen'l Blair in and outside of Congress. Spinner goes into detail about Chase's troubles; and continues: No one knows where the shoe pinches, so well as the one who wears it. But for all these griefs the Governor (Chase) should have remained in his place, and I think it would have been better had the President refused to accept the resignation that was tendered in a moment of irritation etc \$10

### Remarkable Lincoln's Death Newspaper

113. Daily National Republican, Washington, D. C., Saturday, April 15, 1865—the day Lincoln died. The front page is given to articles on The Commercial and Financial Strength of the U. S., Mechanical skill of English Burglars, Deserters Arrested, An English Cure for Drunkenness. There is nothing on the front page about the murder of the President! Here was the greatest news story in American history. Why was it relegated to an inside page of the paper?

This is an original issue—not a fac-simile or a reprint—one of the original newspapers sold on the streets of Washington, or delivered to a subscriber, the very day Lincoln died. Sweet # 60 \$7.50

**Salmon P. Chase**

62. Lincoln's Sec'y of Treasury. Lincoln appointed Chase Chief Justice of the United States to remove him from the 1864 Campaign. One-page letter (ALS, 5x9 inches), Jan. 2, 1864, in reply to the Committee, Flagg, Parks and Atwood, of Alton, Ill., who had asked a donation.

Chase writes: "The City of Alton should build Lovejoy's monument and should allow no other city and no citizen of any other place to contribute to it. It is her special duty and she should claim it as her exclusive privilege."

*Sweet # 52*

\$10



## "IN THE FOOTSTEPS OF ABRAHAM LINCOLN"

By IDA M. TARBELL

A Government is strong in war in proportion to its victories; it is cemented by success, cracked by defeat.

The North before the close of 1861 began to run true to the historical example of human beings under these circumstances. Cracks began to show in the political, civil and military front—with every defeat things grew worse. The second battle of Bull Run was lost because of quarreling generals.

The elections of the Fall of 1862 showed that the country was so saturated with discontent that it was no longer capable of collective political action. The North seemed crumbling under Lincoln's hands. From every side events shrieked to him that he was a failure. Even his best friends, his most loyal supporters, did not spare him.

### Could Work With Seward

There was Mr Chase, his Secretary of the Treasury, still sure that he was a better man than Lincoln, that it was he who should have been President. Seward had felt the same, but he and Lincoln had had it out, and Lincoln had won.

To Mrs Seward, his only real confidant, the Secretary of State said frankly, "The President is the best of us"—but he did not say that outside! So far as possible he kept up the fiction that he was master, assuming authority, keeping information from his colleagues, meddling in the affairs of other departments, particularly that of poor Secretary Welles, whose records of these interferences are among the most humanly entertaining that have come down to us from the period.

Probably Lincoln saw something of this, but it did not distress him; he

could work with Seward. He admired his ability—liked him, and above all, he wanted the country to believe in him.

What he did not see clearly, or, if he saw it, appraise it at its true value, was that Seward's pretense was accepted as a fact by a large group of radicals who mistrusted him. They had come to believe that the conservative Secretary of State did rule, and that Lincoln's tardiness about issuing the Emancipation Proclamation, which he had so long urged, was due to the Secretary of State.

### Chase Never Quiet

Mr Chase, in an indirect way, had fed this suspicion. Lincoln had chosen Chase and Seward deliberately to represent the two strong wings of the Republican party—Democrat and Republican, radical and conservative. In his quaint way he explained that he had to have a pumpkin on each end of his bag if he was going to ride.

But Mr Chase had never been able to stay quietly in the end of the bag. He wanted to be President—wanted it particularly in 1864—and in this ambition he had the open backing of his brilliant daughter Kate Chase. Perhaps no American woman in Washington has ever had such a political following; it was much more like the kind of thing that we see in French and English political circles than anything we are accustomed to here. Miss Chase expected to make her father the next President of the United States, and everybody knew it.

From the beginning of the war, Mr Chase had carried on the questionable practice of expressing in private conversation and in a voluminous private correspondence, particularly with army officers, and always with army officers more or less in disgrace, his distress at the way things were going, his sense of the incompetency of Lincoln, his disbelieve in this or that promotion or removal—always hinting that if he had been President things would have been different, the war at an end.

### Victory That Never Came

There is no question but that among those to whom Chase most frequently complained were radical Congressmen. It was inevitable, of course, that when these Congressmen came back to Congress in December, after their drubbing in the Fall elections, they felt they must work quickly to save the day.

Many of them thought, and they may have been right, that if the new Congress, with its small Republican majority, had met in December of 1862, a movement for immediate peace would have been successful. The radicals meant to go so far with their aggressive policy that this could not happen when it did finally meet the coming March, and one thing that they were determined upon was that the evil influence which had been paralyzing the administration should be removed.

Naturally enough, Mr Chase's friends expected that he would then come into his own; that is, that Mr Lincoln would be run hereafter by Chase instead of Seward.

If Mr Lincoln could have given Congress a victory in the Eastern field immediately before or after it met, as he had so ardently hoped, he would have held back his congressional critics. But there was no victory—instead, another crushing defeat.

Everything had been disappointing in the Army of the Potomac after the battle of Antietam on Sept 17. McClellan had delayed again, with excuses which maddened Lincoln.

McClellan had moved in November, and Lincoln had made with himself a half superstitious compact; if the General allowed Lee to get between him and Richmond again, he would displace him. McClellan had done just that, with a corps commander, Gen Ambrose Burnside.

### Terrible News

Lincoln has been much criticized for this appointment. Why didn't he call Sherman or Grant or Thomas from the West? They were fighters. True, but Sherman and Grant and Thomas were all on serious jobs. No one of them had as yet a campaign or a victory to his credit sufficient to say with certainty, "He's the man!" They were all still proving themselves.

He took the best he had, and it turned out a poor best, for towards daybreak of Dec 16, after four days' fighting on the Rappahannock was sent Burnside's

fatal word: "I have thought it necessary to withdraw the army to this side of the river."

Ten thousand men dead; two thousand missing! "Not a battle, a butchery," Gov Curtin of Pennsylvania told the President when he arrived in Washington from the battlefield.

Little wonder that Congress raved or the country despaired. And no wonder at all that the radical Republican group in the Senate, sure that they knew where the weakness lay, should have decided in caucus that the President should be told that he must drop Seward.

One man in this caucus, Senator Preston King of New York, objected, and rushed to tell Seward. Seward, so confident of his power, was overwhelmed, but game. He at once wrote his resignation. It was handed to the President the evening of the 17th of December, when he was still receiving the terrible news of Burnside's defeat. What did it mean? He was not long in learning from Senator King himself what had happened. A little later he was called upon by the Senators, nine of them, among them Trumbull and Sumner, his intimates. They charged Seward with every sin, and especially with controlling the Administration.

### In His Own Trap

The next morning he called his Cabinet. All were there except the resigned Seward. He told them the story, and asked them to meet the committee that evening, which they did, to the great surprise of the committee.

This was putting a new face on the thing. Their idea was not at all to talk over the situation with the body that they had been condemning; it was to demand its reorganization.

There was much talk, on the whole frank—everybody, perhaps, frank except Mr Chase, who, as Trumbull said tartly when he went away, talked differently in the presence of the President and his colleagues from what he had been accustomed to talk with him in private.

Chase certainly went away unhappy; he had not had the courage in the group and before the Cabinet to back up resolutely the impression which he had been building up, consciously or unconsciously, for so long among his radical sympathizers. He must have had a sickening sense of having put himself in a box, and the only way he saw out of it was to resign. And he wrote his resignation.

The Secretaries were soon back, from a night's wrestling with their in-

dividual duty in the matter, probably all of them willing to go out now for good, so unhappy was the situation, and yet too manly on the whole to be willing to leave if the President wanted them to stay.

Chase first showed the white feather. "I have prepared my resignation," he told the President.

"Where is it?" said the President quickly, his eye lighting up. "I am quoting from Welles' diary. 'I brought it with me,' said Chase, taking the paper from his pocket; 'I wrote it this morning.' 'Let me have it,' said the President, reaching his long arm and fingers towards Chase, who held on, seemingly reluctant to part with the letter, which was sealed, and which he apparently hesitated to surrender. Something further he wished to say, but the President was eager and did not perceive it, but took and hastily opened the letter.

"This," said he, looking towards me with a triumphal laugh, 'cuts the Gordian knot.' An air of satisfaction spread over his countenance such as I had not seen for some time. 'I can dispose of this subject now without difficulty,' he added, as he turned on his chair; 'I see my way clear.'

### Last Thing They Wanted

"Mr President," said Stanton, with solemnity, 'I informed you day before yesterday that I was ready to tender my resignation. I wish you, sir, to consider my resignation at this time in your possession.'

"You may go to your department," said the President; 'I don't want yours. This,' holding Chase's letter, 'is all I want; this relieves me; my way is clear; the trouble is ended. I will detain you no longer.'

Nobody knew what it meant—except Mr Lincoln. The two pumpkins now lay in the same position, both out of the bag. It was not Seward out and Chase in, disturbing the equilibrium—they were both out.

This was the last thing that the Senatorial Committee wanted. It was Seward they were after, not Chase; and the upshot of their demand had been that they had lost their own man.

For a couple of days there was unhappiness in radical circles, particularly in poor Mr Chase's heart; and then Mr Seward and Mr Chase each received from the President a letter, saying that "after most anxious consideration," he had concluded that the public interests did not admit their resigning; there was nothing else, under the circumstances, for them to do but to go back

to their departments. Seward did it cheerfully, Chase unasily.

*Boston Sun 3-5-1911*



On the 4th of March, 1920, I issued a statement printed on the following day in the Baltimore American, contrasting Lincoln's magnanimity with Wilson's selfish attempt to rule arbitrarily without consulting men experienced in the intricacies of the American government.

My statement was as follows:

"President Wilson's bitter resentment against Secretary Lansing recalls, by contrast, the greatness of character and the magnanimity of soul of Abraham Lincoln. The following statement relative to the magnanimous attitude of President Lincoln toward the members of his cabinet is taken from volume I, Chapter VIII, of 'The Life and Letters of John Hay,' Page 189.

"Lincoln acted so simply, not only dispensing with the forms of command, but often seeming to wait on advice, that it took some time for his Cabinet officers to understand that he was, indeed, master. Thus before issuing his Order No. 3, deposing McClellan, he purposely omitted to consult Blair, who was opposed to the treatment of Fremont. Blair published a letter discourteous to the President, but when he went to explain it, Lincoln, instead of disciplining him, told him he was too busy to quarrel with him, adding that if Blair didn't show him the letter he would probably never see it."

"Lincoln's attitude toward Secretary Chase is also illuminating in this connection. In the summer of 1863, politicians were already discussing presidential possibilities. Even in his own Cabinet, President Lincoln had competitors for the Republican nomination. He had received ample evidence that Mr. Chase was trying to knife him. Yet Old Abe, unperturbed, treated him with kindly patience and generosity.

"Said the President: 'I have determined to shut my eyes to all these performances. Chase makes a good secretary and I will keep him where he is. If he becomes president, all right! I hope we may never have a worse man. I have all along seen clearly his plan of strengthening himself. Whenever he sees that an important matter is troubling me, if I am compelled to decide it in a way to give offense to a man of some influence, he always ranges himself in opposition to me, and persuades the victim that he (Chase) would have arranged it differently. I am entirely indifferent to his success or failure in these schemes, so long as he does his duty at the head of the Treasury department.'

"Magnanimity like this, says the historian, is not found in the make-up of a Richelieu, a Frederick or a Bismarck.

"The nation is now calling for a man like Lincoln, with patience and charity to friend, but with uncompromising firmness toward foe. A successful administration, the stability of our institutions, the welfare and progress of the American government demand that our next president appoint to his Cabinet men of broad vision, deep conviction, wide experience and high ideals, men who will be given an opportunity to serve our great republic without fear of wounding the jealous pride of the executive."

Today—four months later—when Republican triumph is assured, I read with great satisfaction the following extract from an article in the Argonaut, re-printed in The National Republican, on July 3, 1920:

"By inheritance and tradition Mr. Harding is representative of the Lincolnian idea in politics and in government. He is friendly in spirit and manner, accessible, open-minded, and not so

self-sufficient as to decline information or counsel. He does not pretend to hold under his own hat all the brains of the country or to know by intuition what other men gain through study and counsel. In the presidency he will be fairly representative of the intelligence and the conscience of our people. Upon the basis of some knowledge of the

man and with some familiarity with his habits of mind I feel safe in the assurance that with Harding in the White House we shall have as heads of the great departments of government, not Danielses, Bakers, and Burlesons, but the best intellect and the highest patriotism that the public life of the country affords."

In the same vein speaks Hon. Myron T. Herrick, former Governor of the State of Ohio and one time ambassador from the United States to the Court of Paris. Says he:

"I feel confident that he (Senator Harding) is a man who will consult and confer with his cabinet and be governed accordingly. Best of all, perhaps, is his Congressional experience, which will be of immense value to him. A man who has not been in Congress is the man, history informs us, who makes the most mistakes in an executive position. Senator Harding is not egotistical, nor is he bumptious. It is a well known fact that those who have attempted to rule on a personal basis, from Caesar down to Kaiser Bill—and others—have not succeeded. I am sure Senator Harding will listen to the suggestions and opinions of those around him, and it is likely that he will weigh and regard those suggestions and opinions."

Statements such as these and the course of action already followed by Senator Harding in conferring with Governor Coolidge and seeking the advice of others point conclusively to the fact that the Republican National Convention at Chicago made a wise choice for the Presidency. It is manifest that the hope of the Nation is fulfilled.

## VOTE FOR HARDING

By C. T. BARR.

When for President you vote—  
Vote for Harding.  
To this cause your time devote—  
Vote for Harding.  
He is honest, he is true  
To the old Red, White and Blue,  
And he'll guide us safely through—  
Vote for Harding.

He's a man of sterling worth—  
Vote for Harding.  
And he boasts of humble birth—  
Vote for Harding.  
You can trust the ship of state  
In his hands, nor fear the fate  
Of this nation strong and great—  
Vote for Harding.

He's a self-made type of man—  
Vote for Harding.  
Through and through American—  
Vote for Harding.  
He will crush the profiteer,  
Fill the bolshevist with fear,  
Lend to labor's plea an ear—  
Vote for Harding.

He's a friend of every son—  
Vote for Harding.  
Who helped make the Germans run—  
Vote for Harding.  
From the first tap of the bell  
He will swat H. C. of L.  
Till he makes the latter yell—  
Vote for Harding.

If you're honest with yourself—  
Vote for Harding.  
Want a man not seeking self—  
Vote for Harding.  
He has served the people long  
And has never yet gone wrong,  
So today he's running strong—  
Vote for Harding.

### CHRYSANTHEMUMS

Shaggy-headed urchins from the gardens of Japan  
Now are down our autumn pathways  
in a rough-and-tumble playing,—  
Motley little rioters with caps and  
brooms and banners swaying  
On the blustery weirs and hills, a ragamuffin clan!

—Thomas Walsh.

Why not subscribe now?

J W. A. 1920



**J**ANUARY is the natal month of Salmon Portland Chase. He was born on the thirteenth day of January, 1808—one hundred twenty-three years ago. Few families have given the country a greater number of energetic leaders. His father was a farmer; an uncle, Dudley Chase, was twice elected to the United States Senate. Another uncle, Filander, was a striking figure in the development of the West—became bishop, and later president of Cincinnati College. In 1824 young Chase entered Dartmouth College where he received an excellent education. He decided to study law and applied to his Senator uncle to get him a government clerkship. The Senator refused, warning him never to enter the government service, and offered him 50 cents with which to buy a spade and stay on the farm. For three years then young Chase was a school teacher. He then went to Washington where he studied law and was admitted to the bar at the age of 22.

In the 65 years of his life—he died in 1873—Mr. Chase's life was cast in many places. Few public men have had more multifarious experiences. He was United States Senator, governor of Ohio, then elected again to the Senate. He was Lincoln's Secretary of the Treasury, and later Chief Justice of the United States Supreme Court. He moved in the midst of great events which he helped to make and modify. He both wrote and made history.

He began the practice of law in Cincinnati. He was married three times; for the third time, by the death of his wife, he was left a widower in 1852. Several children were born to him, only two of whom lived to maturity—Kate (later Mrs. Sprague), by his second wife, and another daughter, Jeanette, by his third wife. In 17 years he stood at the bier of three wives and five children. Thenceforth he lived a widower.

Chase became a great lawyer. The slavery question in Ohio was always acute. About the time Chase reached maturity there were some eight thousand Negroes in Ohio. Most of the adult Negroes had been born in slavery—had bought or received their freedom, and come across the border into Ohio. The Ohio legislature passed a law for the registration of the free Negroes, requiring them to give bonds that they would not become public charges, subjecting them to exclusion from the state if their security was not advanced or was neglected. Anyone who harbored a free Negro was liable to a large fine. Free Negroes were not allowed to vote in Ohio, their testimony could not be received against a white person, they were excluded from the public schools, and no effort was made to educate them. Many of the Negroes were fugitive slaves. Some of them were buying their freedom. Some of the children were buying it for them. A Negro child at a charitable school excused her absence by saying, "I am staying at home to help buy father." The slavery agitation created so much disturbance in Cincinnati that the Cincinnati college prevented any discussion whatever of the subject, claiming it was political.

Before he arrived at the age of 30, Chase began to take serious consideration of the slavery question. When a moral conviction was once established in his mind, it never could be removed. Once enlisted in the slavery cause, he gave a quarter of a century of his life—from 1837 to 1861—to it. He became a favorite speaker at anti-slavery meetings. He wrote addresses and platforms for anti-slavery organizations—for the Liberty party, the Free-Soil party, the People's conventions, and so forth. He became the leader of the Ohio anti-slavery men, and his leadership extended to many other states.

Chase was a Democrat, and for many years believed that he could make the Democratic party an anti-slavery party. In 1848 he was elected as a Democrat to the United States Senate. He was the representative of the anti-slavery forces of the West and he was determined to re-shape the policies of the Democratic party. He soon found himself out of accord with the great majority of his Democratic colleagues. He made a speech in the Senate which made him very unpopular with the Southern Senators. He declared there was no one in the Senate willing to adopt a program against the slavery powers except himself. It was not until the great conflict over Kansas and Nebraska that he received help. Such Senators as Fessenden,

Seward, and Everett joined him in the onslaught against slavery. In the House there were less than a dozen Free-Slavers.

During his six years as Senator, Chase fought valiantly and well, but his senatorial career was a fearful disappointment to him. He made little progress. His term in the Senate having expired in 1854, he concluded that there could not be a Democratic anti-slavery party, accepted the nomination as governor by the Know-Nothing party, which succeeded the Whigs. Chase received 146,000 votes; the Democratic candidate, 131,000; and the Whig candidate, 24,000. As governor he continued his fight against the harsh treatment of the Negro, and succeeded in repealing a number of the old, vicious Ohio laws, and securing enactment of laws looking toward the protection of the black man.

He became a candidate for the Republican nomination for the presidency in 1856, and he was sure that he would be nominated. He was defeated for the nomination, however, by Fremont.

Chase was re-elected governor in 1857, and immediately became a candidate for the nomination for president in 1860. During 1858 he stumped the state of Illinois for the Republican ticket. This was the year of the famous Lincoln-Douglas debates—the greatest debates, involving the most important question relative to mankind, that were ever held in any nation. The outstanding greatness of Lincoln, however, which was displayed in these debates, did not seem to impress Chase, and he never considered him as a possible candidate for the presidency in 1860. There were many candidates for the nomination—Chase, Bates, Seward, Cameron, Banks, Lincoln, and perhaps others.

The convention which met in Chicago, May 16, 1860, was a tumultuous body. Never were the people of the nation so

stirred by any question as they were at that time over the slavery question. Here was a young party holding its second national convention. Fremont its candidate for President at the previous election, had cut an insignificant figure. However, all eyes were focused on Chicago that day, for it was the belief of the people of the North that if no mistake was made, its candidate would be elected President of the United States. Three ballots were taken. At the end of the third ballot, Lincoln lacked one and one-half votes of the nomination. A certain friend of Chase's, a member of his own delegation from Ohio, arose and transferred four votes from Chase to Lincoln, which nominated him. So it was that it fell to Salmon P. Chase to nominate the Great Emancipator for President.

Lincoln invited Mr. Chase into his cabinet, appointing him Secretary of the Treasury. Mr. Chase not only found money sufficient to carry on the Civil War, which of itself was a tremendous problem, but he, himself, advised the President and army officers as to how to conduct the war. He wrote personal letters, without the President's knowledge, to McClellan and other officers. He was constantly writing to Horace Greeley and other leading supporters of Lincoln, criticizing the President. He practically disobeyed orders given by the President, yet so great was he, so worthwhile was his work, so well liked was he by the public, that Lincoln overlooked his lapses and supported him loyally.

Students of the Civil War are familiar with the fact that from the very beginning great pressure was brought to bear on President Lincoln to issue his Emancipation Proclamation. At that time the Republican party was in conflict with the Anti-Slavery party. The Republican party's most advanced principle then was that no more slave states or territories should be permitted. Lincoln was in doubt as to what effect a proclamation freeing all the slaves would have in the country. If Daniel Webster had not so long and so powerfully preached against secession, the chances are that the South would have been victorious. If the war had broken out in 1850, the northern states could not have been solidified for the Union. If the question of the right of a state to withdraw from the Union had been denied when the Constitution of the United States was presented to the 13 colonies, not one of them would have adopted it. Up to the time of the Civil War period, a majority of the citizens of the United States believed a state had the



SALMON P. CHASE



who learned of Webster, and whose great love of the Union saved it.

So it was that Lincoln was fearful of the effect of an emancipation proclamation, and withstood the constant pressure of Chase, Horace Greeley, and others, holding off until the public mind was ready for such a proclamation. One of Lincoln's humorous stories relative to the matter is recalled. Greeley and two others, whose names the writer does not recall, were constantly writing to the President, and constantly calling at the White House, insisting that the Emancipation Proclamation be issued. Lincoln and a friend stood at a White House window one day when a cab unloaded Greeley, and his two friends some distance away. Lincoln pointed at them and said they reminded him of a story. His only reader when he was in school was the Bible. The reading class was called one day, and standing in a row, every child read a verse of the Bible. The lesson that day was the story of the fiery furnace—Shadrack, Meschack, and Abednego. The verse in which these three names appeared fell to a little tow-headed fellow who was a poor reader. With the teacher's help, after much embarrassment on the part of the child, he got thru the verse. The reading went around the class until it came the turn of the same little tow-head to again read his verse. He stammered and then began to cry. The teacher asked him what was the trouble, and he whimperingly said, "There come them same damn three fellers in my verse again." As Lincoln said this he pointed to Greeley and his friends as they came across the White House lawn.

Chase became discouraged. He declared he had urged his ideas on the President without results. Finally, at a cabinet meeting, where all the members were present, after some general talk, Lincoln mentioned that Artemas Ward had just sent him his new book and he proposed to read a chapter which he thought was very funny. He did read it, and all except Stanton enjoyed it very much. The chapter was, "High-handed Outrage at Utica." Stanton seemed disgusted, and the President then took a graver tone and announced that he was going to issue the Emancipation Proclamation. Said he: "I have got you together to hear what I have written down. I do not wish your advice about the main matter, for that I have determined for myself. This I say to you, without intending anything but respect for any one of you. But I already know the views of each of you on this question. If there is anything in the expressions I use, or in any other minor matter which any one of you thinks had best be changed, I shall be glad to receive the suggestions."

Chase constantly interfered in military matters, but his interference did not lead to much friction, as no one paid much attention to it. They were content to have his great work in financing the war go on, and the President held him to that and that alone. Four times he became angry and proffered his resignation to the President. Four times the President refused to accept it. Later some question arose over some appointment in Chase's department and he again, for the fifth time, offered his resignation. To his astonishment the President accepted it. He was succeeded by Mr. Fessenden. Mr. Lincoln asked Fessenden not to remove Chase's friends from office. Chase said afterward that if the President, in replying to his resignation, had expressed himself as he did to Mr. Fessenden, he would cheerfully have withdrawn it. The truth is, he never expected his resignation to be accepted.

Lincoln was re-elected in 1864. Chase permitted his name to be used in connection with the nomination. The death of Justice Taney, Chief Justice of the Supreme Court, who rendered the notorious Dred Scott Supreme Court decision, had occurred a few months previous. Candidates for the office were numerous. Justice David Davis, of Illinois, a personal friend of Lincoln's, was a candidate. Great pressure was brought to bear upon the President to appoint Davis, yet Lincoln nominated Chase, who, during the strenuous years of the war, had caused him so much annoyance.

Few men in the history of our country ever had such opportunities, such experience in all three of the great departments of the country. Among the important decisions rendered while Chase was Chief Justice was that which decreed greenback paper money legal tender for all debts, public and private. There is today some \$350,000,000 of this legal tender money in circulation. Unlike all other paper money, and unlike silver, the legal tender is not a redeemable money, and stands on a parity with gold.

Chase was one of the great personalities of the war period. He was one of the most dominant men of his time, and one of

or misconduct. Jay Cook, a great figure in Wall Street, offered to make Chase rich, and no doubt could have done so, but he was Secretary of the Treasury, and would have nothing to do with Wall Street.

His daughter, Kate, married brilliant young Senator Sprague of Rhode Island, who was later governor of that state. She had a remarkable connection with her father's public life. Young, remarkably beautiful and captivating, she was the most popular lady in Washington where her father was popular and influential, as was her husband. It is said that Mrs. Lincoln was jealous of her because at the White House receptions as a guest, Mrs. Sprague held her own court. She probably had greater social and political influence than any other woman in the history of the United States.

Chase constantly held to the right of the Negroes to be freed from bondage. While he was over-ambitious, and frequently sought the great prize of the Presidency, he never changed his opinion in order to win votes.

## Thousands of People Flying

**I**N NEW YORK one morning, in Kansas that evening to spend the night in a hotel, and in Los Angeles the next evening—such is the schedule of the new New York-Los Angeles, all-air, 36-hour passenger and mail service.

A 36-hour passenger service between the Atlantic and Pacific oceans is just another of those things which a few years ago were wild impossibilities and today are inaugurated with hardly a ripple of excitement beyond that which the industrious press agent can supply.

The new transcontinental air service cuts 12 hours, more or less, from the flying schedule between New York and Los Angeles.

Flying in three sections and bucking a boisterous wind from the west, America's first all-airplane mail and passenger service across the continent was launched from the Newark airport by Transcontinental and Western Air, Inc. It will ply regularly between New York and Los Angeles on a 36-hour schedule.

The first plane carried six passengers and 600 pounds of mail. In the second plane were seven pay passengers, four going all the way to Los Angeles.

The New York, Philadelphia, and Washington Airway has hourly service.

All world records for travel over a regularly established air-line were broken during the first 10 days of operation. There was a total of 1,557 pay passengers carried and a 95 percent completion of scheduled trips.

Americans are apt to think of the air-passenger movement across the English Channel as a high-water mark in air transport, but the statistics of a well-known trade journal show the total passenger movement for all companies across the Channel in 1928 was 43,179, an average of 118 a day.

The Air Transport between New York and Boston carried 1,348 passengers in August this year, as against 733 for the same month last year.

This figure is significant because Colonial has competition between New York and Boston. New England and Western, with headquarters in Springfield, Massachusetts, operates a service which takes in Boston, Albany, and New York by way of Springfield. This service was started last May. During July 1,400 passengers rode over certain divisions of the line, and in August the system carried 1,600 passengers.

Four passenger air-lines taken at random out of a score of operating airways in the United States carried more than 11,000 passengers in August.

The Aeronautical Chamber of Commerce reported 133,000 passengers on 29 lines in six months.

## Silent House Shown

*From The New York Times*

**O**NE of the unique features of this year's building trades exhibition, is the so-called "silent house." It is a series of rooms designed by Trystan Edwards of sound-proof materials, with floorings of rubber and cork, non-rattling windows and doors that can even be slammed silently.

Sir Sanister Fletcher, president of the Royal Institute of British Architects, said the idea underlying the silent house would have to be considered very seriously by architects of the future, and added that it was being considered now by architects who are erecting buildings in the noisy, crowded thoroughfares of "downtown" London.

13-1-1

**AN ADDRESS**

**BY**

**WILLIAM H. TAFT**

**Chief Justice of the United States**

**Delivered May 30, 1923**

**Spring Grove Cemetery**

**Cincinnati, Ohio**

**AT THE UNVEILING OF A MONUMENT**

**BY THE**

**AMERICAN BAR ASSOCIATION**

**TO**

**CHIEF JUSTICE SALMON P. CHASE**

**Sent out with the Compliments of George H. Paine, Philadelphia, Pa.**





The American Bar Association performs an appropriate and pleasing duty thus to perpetuate the memory of Chief Justice Chase in the city of his professional life. American lawyers are widely distributed through forty-eight States, and are separated by their practice into as many different systems of courts. The only Court in which they all stand on an equality, and in which not only the Constitution and laws of the Nation, but also those of all the States, are enforced, is the Supreme Court of the United States. In that Court they all should feel equally at home. It is the only Court in the country of which this can be said. They do well then, as a national profession, to preserve the name and confirm the greatness of a man who by his nine years' work, as the head of that Court, left a deep and lasting mark upon our Federal constitutional law.

Salmon Portland Chase was born in the rugged hills of New Hampshire, in January, 1808. He was one year older than Lincoln. An uncle, a missionary Bishop of the Episcopal Church, brought him, when he was but twelve years old, to Ohio, where he spent three years at collegiate schools, one of them in Cincinnati. Returning to New Hampshire, he entered Dartmouth in the junior year and took his Bachelor's degree in 1826, when he was but eighteen. He acquired his collegiate education by the hardest. He earned his way by teaching in the long vacations. Before he was twenty, he went to Washington and became the Master of a school. A year later he began the study of the law in the office of William Wirt, then Attorney General, and remained in Washington until he came to the Bar in 1830.

Chase's preparation for the Bar was defective, but he had the benefit of three years' sojourn in the Capital, where he saw and heard the great men of that day—Adams, Jackson, Webster, Clay, Wirt, Calhoun, and the great Chief Justice. His intense and life-long interest in governmental matters and in constructive statesmanship gained a primary impulse from these impressions and associations. In June, 1830, he settled down in this city and entered that disciplinary period in every lawyer's life when he is looking for business. In spite of his lack of application to the study of his profession in Washington, he had not lost his New England conscience, or his sense of responsibility for the use of his time. He read much. He organized a Lyceum and delivered four lectures himself. He helped to launch a periodical. His intellect was constantly active. He did what most young lawyers haven't the courage to do during his forced leisure. He devoted himself to hard professional work. He collated in useful form the statutes of Ohio, with annotations. It called forth the commendation of his grateful fellow members of the Bar, and of such authorities as Kent and Story. It included a history of the State. After its publication, he was able to make satisfactory professional partnerships, and for nearly twenty years he continued in the active practice of the commercial law.

Chase was a serious-minded man. He was sincerely religious. He had the moral force and persistence that prompted him to keep a journal, and

this he did throughout his career. He has disclosed much of the inward workings of his heart. He revealed traits of which undue modesty was not one; but he showed his purpose to live a life of usefulness and high principle; and, more consistently than most, he pursued it.

In 1836 the interest which Mr. Chase always had had in public matters developed into a conviction and led him openly to espouse the cause of anti-slavery. He has been charged with often changing his party for personal advancement. That he was ambitious to secure opportunity for the wielding of governmental power, his dearest friend would not deny; but his stepping from one party to another did not indicate so much a change of principle on his part, as a change of principle by the shifting parties which he joined and left. He was an anti-slavery man first and a party man afterwards, and from time to time he sought the party he thought would help the cause. He said he was a Democrat. He said he was a state's rights man. His view was that the Constitution was an anti-slavery document, that it was adopted by those who deprecated slavery and intended to keep it within the slave states, and hoped that it might there die out. The cause he had at heart was to keep it where it was. His anti-slavery propaganda before the Civil War never went beyond this.

It is hard, at this distance of time, to follow the politics of Ohio from 1840 to 1860, because of the shifting and disintegrating of parties. It is difficult to understand how Chase, with his avowed anti-slavery sentiments, could be elected to the Senate by the Democrats against the Whigs in 1849, be twice elected Governor of that State after his Senate term ended, and then become Senator again in 1860; but so it was. If one would wish to vindicate his pursuit of principle in politics, one need but point to the ostracism and opprobrium that he had to undergo as an active anti-slavery man. Neither in the Senate nor in his executive office did he hesitate or falter in his consistent course. As much as any man in the country, did he contribute to the formation of the Republican party.

Mr. Chase was not a facile speaker. He had little or no sense of humor. He could not entertain crowds, but he struggled to convince his audience. He had the earnestness of conviction, the seriousness of a high purpose, great reasoning faculties, and the courage and sacrifice of careful preparation. He was a man of large physique, dignified bearing and impressive presence. He was a man of culture, one who was practiced in exact, graceful and forcible expression. He always wrote the platforms and the resolutions of the conventions and meetings organized to promote the great cause. There was nothing indolent about him. His correspondence was large, and his willingness to discuss plans for public betterment was constant.

Mr. Chase's temperament was masterful and his desire to take charge of anything in which he was interested was evident. He knew his powers, he understood the value of his experience, and he had the constructive impulse that made him anxious to apply all these in furtherance of his cause. Apparently he did not make friends of his contemporaries and his equals in point of ability and experience. He gathered about him able young men whose subsequent successes demonstrated his judgment in their



selection, but he demanded of them complete devotion to the cause which he had embraced and a subordination to his own views and purposes which made some of them restive.

One cannot say that his political judgment was bad except as to his own popular strength. Though a candidate for the Presidency in 1860, in 1864, in 1868 and in 1872, his estimates of his strength generally proved to be much mistaken.

When Chase came into Lincoln's Cabinet, he shared with Seward that underestimate of Lincoln which led them both into error. Lincoln had but little knowledge of the finances of the country and he gave to Chase free scope in the Treasury. This extended to the matter of appointments, which Chase cherished and used for his friends. On the other hand, Chase did not confine his attention to his own jurisdiction. His confidence in his own judgment and what he could do if he had power in other departments, prompted him to ill-concealed criticism of the rest of the Administration. He was not disloyal, but he was not a good subordinate. He was a natural leader and his urge for leadership made him a critic of the leadership of others. Mr. Lincoln knew his defects in this regard, but knew also, and valued, his great ability and conscientious devotion to service. His plans for the improvement of the finances of the Government were more useful and effective than Congress ever gave him the opportunity to carry out. He underestimated the capacity and submission of the people, if required, to respond to heavy taxes, but even had he advocated these, it is doubtful whether Congress would have adopted them. The system of loans was much easier for politicians. Mr. Chase was the father of our National Bank System. He left in the Treasury a record of great constructive statesmanship. The burden of his office in the Civil War was second only to that of the War Office and not less important. The Atlases of that period were Lincoln, Chase and Stanton. Mr. Chase's only failures were in not securing a greater co-operation from Congress. This was because of his lack of the magnetic influence and tact to make men follow him, though he had the genius to lead and show them how.

Mr. Chase broke with Mr. Lincoln over a matter of patronage, but only after a number of similar differences, in each of which he tendered his resignation, but all of which, except the last, Mr. Lincoln smoothed over with his marvelous patience. After Chase had felt the humiliation that comes to a man who leaves an office, thinking that he is to pull down the pillars as he goes, and finds out his error, he could not restrain expression of his bitterness. But Mr. Lincoln did not cherish resentment, and when, soon after, the great office of Chief Justice became vacant, upon Taney's death, he called Chase to it. His one concern was that Chase's ambition to be President might interfere with his judicial duties. Mr. Lincoln's expectation that he would so aspire was fully justified by the event. But I think it cannot be justly said that Chase's political ambition affected his judicial action.

While on the Bench he was a candidate for the Presidency in 1868, and also in 1872; but he would not vary the principles for which he stood to capture either nomination. If it was anomalous that he should be a can-

didate before the Democratic Convention of 1868, with a considerable chance of success, the anomaly was only in the fact that leading Democrats had conceived it possible that the party could be reborn and support a man who was strongly and avowedly in favor of negro suffrage, and thus return to its primary principle that all men are created equal.

When Mr. Chase was called to the Bench, he had been out of the practice of the law for more than twenty years, but he had been in executive or legislative office almost constantly. He had been a student of the Constitution and its application to practical government. He had come to be intimately acquainted with departmental organization and methods, and he entered the Court better advised than any other member of that body as to government law, that law which grows and shapes itself by the practice of those who administer it. This made him most valuable in conference on such questions which were to crowd upon the Court while he was at its head.

Mr. Chase wished to be Chief Justice—had told Lincoln so early in his Cabinet experience. He had confidence that he could accomplish much public good by an interpretation of the Constitution making for a safe balance between the national and the state powers. He had a laudable ambition to become a second Marshall in the constitutional reconstruction of the government at its second birth. It is to be doubted, however, whether when he had tested the opportunities the great place afforded him, he was satisfied. He found that he had to carry a load of work which for him was the heavier because his familiarity with the principles of general law had faded some in his political life. He grew impatient with cases between individuals in which the governing principles were not constitutional and were not of public concern. Nor could he in such work separate himself from intense interest in the political questions which were occupying the statesmen of the day, and he longed to be at the helm. This did not interfere with the excellence of his judicial work, but it added to the strain on him.

Chief Justice Chase wrote many able opinions, opinions that have come down and established the law. His decision in the case of *Texas v. White*, where he defined with wonderful clearness the status of the seceded states, is a landmark in constitutional law in this country. Another is his concurring opinion in *ex parte Milligan*, in which he has added to the substance of the law by his definition of, and distinction between, military law, military government, and martial law. The subject has always been a difficult one, and it remained for him to clarify it so far as it has been clarified.

The course of the Legal Tender decisions gave rise to great bitterness of feeling. The Chief Justice was charged with inconsistency due to political bias, in that he supported the legal tender acts as Secretary of the Treasury, and then as Chief Justice held them to be invalid. He did not favor giving a legal tender character to the greenbacks, but he was forced into acquiescence in that feature of the law in order to secure what he regarded as indispensable to the safety of the country. It is only fair to take his own statement of the fact as the true one, namely

that as Judge he conscientiously believed, after the fullest consideration, that Congress had not the power to impart to notes issued by it as currency, the character of the legal tender attaching to gold and silver coin.

The Chief Justice was a most dignified presiding officer. He had a strong sense of responsibility for the Court. His capacity to meet the requirements of a great occasion was shown when under the Constitution he had to preside at the trial of the impeachment of President Johnson. The fear that he might exercise influence to save Mr. Johnson led to efforts by the majority to restrain him as Presiding Officer; but he ignored them, asserted the full power of his position, and ruled with conspicuous impartiality, clearness and force on all the questions arising. It was a painful and difficult duty, which fortunately no other Chief Justice has ever had to discharge.

During the incumbency of Chief Justice Chase, popular feeling was strongly aroused against the Court. From time to time, by reason of its jurisdiction and its proper exercise, the Court cannot help becoming the stormy petrel of politics. It is the head of the system of Federal Courts established avowedly to avoid the local prejudice which non-residents may encounter in State Courts, a function often likely to ruffle the sensibilities of the communities, the possibility of whose prejudice is thus recognized and avoided. More than this, the Court's duty to ignore the acts of Congress or of the State Legislatures, if out of line with the fundamental law of the Nation, inevitably throws it as an obstruction across the path of the then majority who have enacted the invalid legislation. The stronger the majority, and the more intense its partisan feeling, the less likely is it to regard constitutional limitations upon its power, and the more likely is it to enact laws of questionable validity. It is convincing evidence of the sound sense of the American People in the long run and their love of civil liberty and its constitutional guaranties, that, in spite of hostility thus frequently engendered, the Court has lived with its powers unimpaired until the present day.

The assassination of Lincoln stirred the passion of the Northern people and threw power into the hands of the Radical element of the Republican party in Congress. Conflict with Lincoln's successor quickly ensued and a policy of radical reconstruction followed, which we can be reasonably sure would have been spared the South, had Mr. Lincoln lived. With a two-thirds majority in each House, the Republican party leaders brooked no opposition, and when that which had been done in due course came before the Court for consideration of its validity, the attitude of those leaders toward the Court became one of suspicion and resentment. Until one refreshes his recollection of that period, he can hardly realize how far the radical Republicans in Congress went in their effort to oust the Court of its jurisdiction. They were afraid that the Court would pronounce their reconstruction measures invalid. They were stirred to this fear by the decision in *ex parte Milligan*, in which the Court refused to recognize the power of the President in time of war to direct a Military Commission to try for treason and sentence to death a civilian in a state not invaded by the enemy and where the civil courts were functioning.

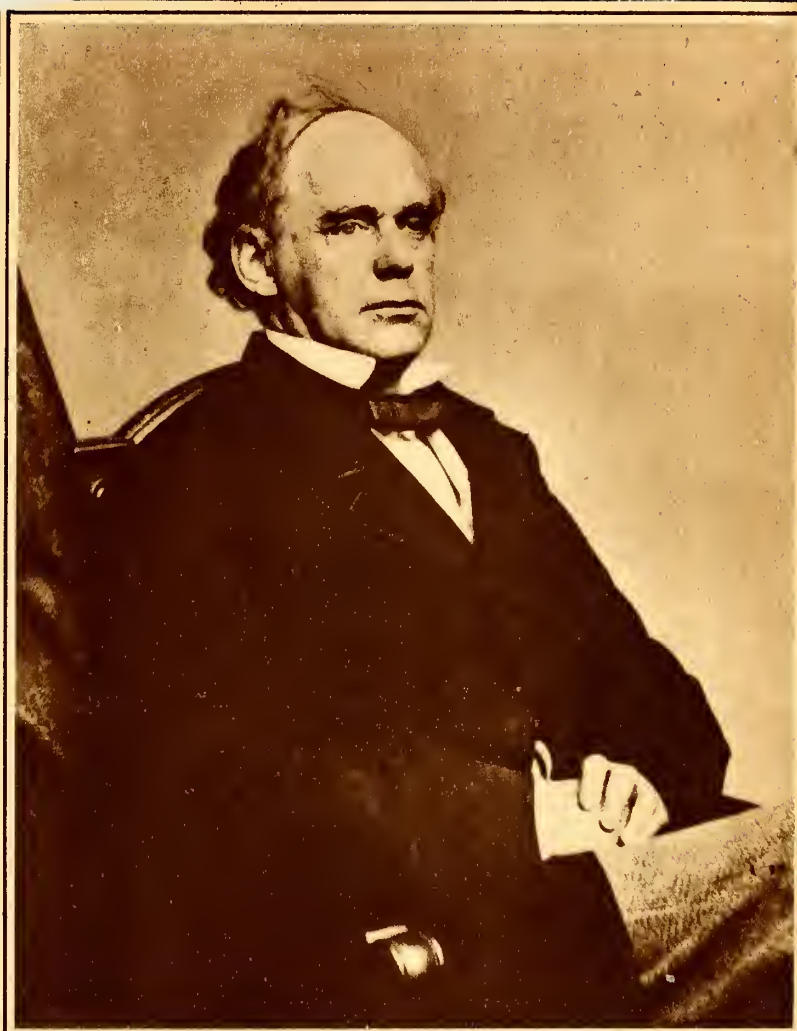


For fear that the Court might hold invalid the work of such Commissions when organized under the reconstruction acts by military governors in the Southern States, Congress took the case of *McArdle*, presenting the question, from the Court's consideration, abruptly, after it had been argued and submitted, by repeal of its jurisdiction. In the heat of the feeling against the Court, bills were proposed limiting its power to declare laws invalid by a majority, and there were serious proposals made to abolish this power of the Court altogether. The personal attacks made upon the Court by the party press were severe and unmeasured. This was the atmosphere in which Chief Justice Chase lived during his judicial service.

While mistakes were made by the Court in those days, as at other times, for it was and is a human institution, one cannot see, in looking back to that decade, that there is anything in the constitutional law as it was handed on to the next generation which is to be condemned. The result in the *Legal Tender* cases is still a matter of discussion by historians, students of constitutional law and political economists. The decision in the *Slaughter House* cases, which awakened great protest, certainly served to maintain a wise balance between the national and the state powers. The *Milligan* case, which called out the bitterest criticism, nevertheless laid down the principle of the maintenance of constitutional right during war, for which we are now all grateful.

The verdict of the country in retrospect as between the fever heat of the Radical Republicans in those tempestuous times against constitutional hindrance, on the one hand, and the restraining decisions of the Court, on the other, is with the Court. The people now are glad that the guaranties of personal liberty were maintained by the Court against the partisan zeal of the then majority. The Court survived the inevitable attacks upon its jurisdiction then, as it had survived them so many times before. The storm during Chief Justice Chase's term was succeeded by a judicial calm of twenty-five years till we neared another war. This result speaks on the whole for the wisdom of the conclusions of the Court over which the Chief Justice presided.

Chase was a great man. He has had the disadvantage in history of comparison with Lincoln. Next to Lincoln, he stands out as a great civil figure of the decade of the Civil War. He was actuated by moral force. He had the defects of his attributes, but among those attributes were devotion to principle, courage of conviction, indefatigable industry, and a profound patriotic desire to achieve, in the public interest.



SALMON P. CHASE, Secretary of Treasury.

*Franklin Surv. Call 2-12-78*



## LINCOLN LORE

BULLETIN OF  
THE LINCOLN  
HISTORICAL  
RESEARCH  
FOUNDATION



ENDOWED BY  
THE LINCOLN  
NATIONAL LIFE  
INSURANCE  
COMPANY

Dr. Louis A. Warren - - - Editor

### LINCOLN'S ATTITUDE TOWARD CHASE

Further light on the jockeying for positions by the prospective candidates for the presidential nomination of 1864, contributes still more to the magnanimity of Lincoln. The episode revealing Chase and Senator Pomeroy of Kansas, trying to discredit Lincoln is made more interesting by the unpublished correspondence of Secretary Usher now in the archives of the Lincoln Historical Research Foundation.

A few excerpts from these letters show how unconcerned Lincoln seemed to be about the ambitions of his Cabinet members and others. The letters from which these excerpts were taken were written by John P. Usher, Secretary of the Interior, to R. W. Thompson, of Terre Haute.

Washington, D. C., Feby. 17, 1864.

R. W. Thompson, Esq.:

Dear Sir: A secret circular has just been issued signed by Pomeroy, chairman for Chase for President. Mr. C. must have knowledge of and approved it. It contains reflections upon the President of such an offensive character that there will have to be explanations and will, I think, cause a rupture in the Cabinet. There is much caballing and plotting going on here all dangerous to the government and there will have to be explanations. I hope for the peace of the country that our convention will most unanimously declare for Lincoln, by doing that it will tend to suppress some of the malcontents now making mischief. They are looking for the strong side and when they find that Lincoln is to have the further control if it be had at all by a Union man, they will be for him and cease their creating difficulties. I have written fully to Governor Morton maybe he will show you the letter.

Yours truly,  
J. P. Usher.

A week later in a letter to Thompson, Usher mentions the Pomeroy circular again and gives us a fine picture of the unconcerned Lincoln.

Department of the Interior,  
Washington, D. C., Feby. 25th, 1864.

Hon. R. D. Thompson:

Dear Sir: I suppose you have seen the Pomeroy Circular and have been amazed that Mr. Chase should have allowed such a paper to go to the public. It is a most indecent thing and how a man of strict honor can hold his position as adviser to the President after stating that he disagrees with him in his policy is more than I can tell. Lincoln says but little, finds fault with none and judging from his deportment you would suppose he was as little concerned as anyone about the result. I do not see how we are to keep the family together much longer and you need not be surprised to hear of a disintegration of the Cabinet any day.

Yours truly,  
J. P. Usher.

A brief excerpt from a letter written on May 31, 1864, reveals further evidence of unrest in the Cabinet:

I have been in the hopes of seeing you at the convention. Lincoln will be nominated and most of the disappointed will support him. His opposition has come from the Treasury Department. The truth has been withheld and falsehoods have been told by men in pay of that department. It will be known some day how perfidiously he has been treated.

Yours truly,  
J. P. Usher.

The climax of the Chase episode as revealed in the Usher correspondence is set forth in a letter written on July 5, 1864, when he speaks of Chase's retirement and Fessenden's appointment.

Department of the Interior,  
Washington, D. C., July 5, 1864.

R. W. Thompson, Esq.:

Dear Sir: Yours of the 29th received yesterday. At the date of your writing you were not aware of the contemplated retirement from the Treasury of Mr. Chase. I was confident that the event would sooner or later take place, but was not anticipating it at this time, not before Sept. There has been a bad state of feeling for a long time, and since the Pomeroy circular no attempt at concealment. Mr. C. has rarely attended Cabinet meetings and has been apparently greatly disgusted at everybody. The immediate pretext (it is said on the street) for his resignation was the refusal of the President to appoint Mr. M. Field,<sup>1</sup> assistant treasurer at New York. This

was opposed by Senator Morgan.<sup>2</sup> Field was a clerk of Cisco and an excellent one, too, as I suppose, but of no political significance whatever. The President had obliged Mr. C. by making him Asst. Secy. of the Treasury but was not willing to go further for him. I do not know how this is, but am well pleased with the change of Mr. Fessenden for him, I think most fortunate for the country as I have no doubt you will be of the same opinion. The agencies of the treasury have conferred upon such a set of graceless scamps and a great improvement in that particular may be expected. . . .

Yours truly,  
J. P. Usher.

(1) Mansfield Broadhurst Field.  
(2) Edwin Dennison Morgan, Senator from New York, 1863-1869.

The attitude of Chase toward the Amnesty Proclamation serves as a sequel to the disappointment of the man who aspired to the presidency, and his behavior in respect to this action of the administration is set forth in this last exhibit.

Washington,  
August 14th, 1864.

R. W. Thompson, Esq.:

There are many discouraging circumstances daily occurring among the less the Wade and Davis protest. I do not think it will do any harm but it shows a dissatisfaction much to be regretted and that these men are indifferent about the future so that they can gratify their malignity by fault finding. Lincoln has to the neglect of his true friends tried to propitiate and oblige this class of men and they will never be satisfied. Of all the acts of his administration they had the least cause and reason to assail him. Every member of the Cabinet heartily approved of the amnesty proclamation with the exception of Mr. Chase and he has had only one objection which was it did not allow negroes to vote but said that he was in the main so well satisfied with it that he would take no exception to it. . . .

So much of the paper "to all whom it may concern" the expression concerning the abolition of slavery was not the ultimatum of the President but inserted because Greeley had intimated that it should be one of the conditions and as he was engineering that case it was put in, but nothing can be done apparently to please these men. I will be home and we will talk the whole matter over.

Truly yours,  
J. P. Usher.



### BIGGER MEN WANTED

#### Lincoln Wanted Seven of Them for His Cabinet

Abraham Lincoln said of Salmon Portland Chase, Secretary of the Treasury for three years and afterwards Chief Justice of the United States Supreme Court—both by Lincoln's appointment:

"He is one and one-half times bigger than any other man I ever knew."

And thereby hangs a story on the matter of "bigness" told by Senator Henry Cabot Lodge (the elder) and retold by Henry L. Stoddard, veteran journalist, in his reminiscences, "It Costs to be President." Lodge got it personally from John Bunn who, as a young man, studied in Lincoln's law office.

Chase had called there to accept appointment as Secretary of the Treasury and to discuss the situation generally. Young Bunn had been in and out of the office all the afternoon while the conference was on. Evidently he had heard much of it.

Next day, John, who was always free with his opinion, said: "Mr. Lincoln, I don't like Mr. Chase."

"Don't like him?" asked Lincoln.

"Why, he is one of the most distinguished men in the country!"

"I know that," replied young Bunn.

"The trouble with him is, he thinks he is a bigger man than you are."

Lincoln laughed and then said: "John, if you will find me seven bigger men than I am, I will put them all in my Cabinet."

Philadelphia Bulletin 2-13-39

# LINCOLN LORE

Bulletin of the Lincoln National Life Foundation - - - - - Dr. Louis A. Warren, Editor,  
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FORT WAYNE, INDIANA

May 15, 1939

## THE POMEROY CIRCULAR

A circular, appearing over the signature of Senator S. C. Pomeroy of Kansas, was distributed as a preliminary document in a "Chase for President" movement in 1864. It received wide publicity at the time and is still recalled as one of the most critical attacks on the Lincoln administration.

Senator Pomeroy was one of the committee of Senators who, in 1862, visited Abraham Lincoln and urged, almost demanded, the removal of Seward from the Cabinet. Here we observe what is possibly Pomeroy's first outward break with the administration and the beginning of his alliance with the Chase faction.

The two Senators from Kansas, Lane and Pomeroy, were continually clashing which called forth a reprimand to Pomeroy from the President in these words: "I wish you and Lane would make a sincere effort to get out of the mood you are in. It does neither of you any good; it gives you the means of tormenting my life out of me, and nothing else."

The opposition group in the Republican party took form under the name of the National Executive Committee, and Senator Pomeroy was made the chairman. The committee, attempting to head off public sentiment for a second term for Lincoln, was anxious to press the claims of Chase. This was responsible for the famous circular released in February 1864, in which five definite statements were made with reference to the administration as follows:

"First, that even were the reelection of Mr. Lincoln desirable, it is practically impossible against the union of influences which will oppose him.

"Second, that should he be reelected, his manifest tendency towards compromises and temporary expedients of policy will become stronger during a second term than it has been in the first, and the cause of human liberty, and the dignity and honor of the nation, suffer proportionately, while the war may continue to languish during his whole Administration, till the public debt shall become a burden too great to be borne.

"Third, that the patronage of the Government through the necessities of the war has been so rapidly increased, and to such an enormous extent, and so loosely placed, as to render the application of the 'one-term principle' absolutely essential to the certain safety of our republican institutions.

"Fourth, that we find united in Hon. Salmon P. Chase more of the qualities needed in a President during the next four years than are combined in any other available candidate; his record, clear and unimpeachable, showing him to be a statesman of rare ability and an administrator of the very highest order, while his private character furnishes the surest obtainable guarantee of economy and purity in the management of public affairs.

"Fifth, that the discussion of the Presidential question, already commenced by the friends of Mr. Lincoln, has developed a popularity and strength in Mr. Chase unexpected even to his warmest admirers; and while we are aware that this strength is at present unorganized, and in no condition to manifest its real magnitude, we are satisfied that it only needs systematic and faithful effort to develop it to an extent sufficient to overcome all opposing obstacles."

Mr. Chase at once wrote to the President after the circular appeared, stating that he had no knowledge of the letter until he saw it in print. Mr. Lincoln replied that he had known of Mr. Pomeroy's activities for several weeks and was not surprised at the appearance of the letter. He then assured Mr. Chase that he perceived no occasion for his removal from the Cabinet.

One of the Cabinet members, however, expressed himself in very frank terms with respect to the situation as will be evident from these excerpts from the original letters:

"Department of the Interior  
"Washington, D. C., Feby 17 1864

"R. W. Thompson Esq  
"Dear Sir, A secret circular has just been issued signed by Pomeroy chairman for Chase for President. Mr. C. must have knowledge of & approved it. It contains reflections upon the President of such an offensive character that there will have to be explanations and will I think cause a rupture in the cabinet. There is much caballing & plotting going on here all dangerous to the government and there will have to be explanations. I hope for the peace of the country that our convention will most unmistakably declare for Lincoln, by doing that it will tend to suppress some of the malcontents now making mischief. They are looking for the strong side and when they find that Lincoln is to have the further control, if it be had at all by a Union man, they will be for him & cease their creating difficulties. I have written fully to Gov. Morton may be he will show you the letter.

"Truly yours  
"J. P. Usher"

"Department of the Interior  
"Washington D. C. Feby 25th 1864

"Hon R. W. Thompson  
"Dear Sir, I handed your dispatch to the President last evening with which he was much gratified. I suppose you have seen the Pomeroy circular and have been amazed that Mr. Chase should have allowed such a paper to go to the public. It is a most indecent thing and how a man of strict honour can hold his position as advisor of the President after stating that he disagreed with him in his policy is more than I can tell—Lincoln says but little finds fault with none & judging from his deportment you would suppose he was as little concerned as any one about the result—I do not see how we are to keep the family together much longer and you need not be surprised to hear of a disintegration of the cabinet any day. . . .

"Yours truly  
"John P. Usher"

It was not until March 10, 1864, when he addressed the Senate at length on the subject of the forthcoming Presidential election, that Senator Pomeroy made public reference to the circular. Pomeroy was interrupted but once during the speech, when Senator Doolittle arose to inquire if it was the purpose of Mr. Pomeroy to organize a new political party. Pomeroy replied that "no party now exists which has ever been seen in a national convention." He then outlined the objectives of the new political organization. (1) Immediate suppression of rebellion, (2) Constitutional amendment prohibiting slavery, (3) Maintenance of the Monroe Doctrine, (4) Rigid economy, (5) Confiscation of property of rebel leaders, (6) Sound system of national currency, (7) Subordination of states to general government, (8) One term for President, (9) Liberty of speech and publication, (10) Liberal and protective system of foreign emigration, and (11) Extension of transcontinental railway systems.

Pomeroy's speech was the swan song of the newly proposed political party, for it sounded the death knell of Chase's Presidential aspirations. When Thad Stevens observed that Lincoln and Seward were going to Gettysburg in November, 1863, for the dedicatory exercises and learned that Chase and Stanton were to remain in Washington, he remarked, "Let the (politically) dead bury the dead." Lincoln's political prospects at that time were at low ebb and Chase was in the ascendancy. Four months later, however, it appears as if it would have been just as well for Chase to have gone to Gettysburg as far as his political fortunes were concerned. The Pomeroy circular will always be remembered as another one of those many new party appeals which failed to arouse a sympathetic public sentiment.

**"NO MAN IS FIT TO BE PRESIDENT WHO WILL SCRAMBLE  
FOR IT." — S. P. Chase**

- 26 **CHASE, Salmon P.** Chief Justice U. S. Supreme Court; Secretary of Treasury in Lincoln's Cabinet. A.L.S. 3 pp., 4to. Washington, Mar. 19, 1864. To W. T. Coggeshall. \$25.00

A MAGNIFICENT LETTER REGARDING HIS ASPIRATIONS FOR THE PRESIDENCY. "Under no circumstances could I consent to allow my name to be offered to the Consideration of a National Convention without the cordial support of Ohio—and not only cordial but practical unanimous. The Action of the Union Men in the Legislature showed that this was not to be had. Nor under any circumstances could I allow my name to be used as the watchword of discord & derision. . . . It is my faith that no man fit to be President will enter into a scramble for it. To a right minded man it is only a place for harder & more useful work & if the people don't want his work he wont beg them to use it." Etc.

- 27 **CHASE, Salmon P.** A.L.S. 3 pp., 4to. Columbus, Dec. 26, 1848. \$20.00

A FINE LONG POLITICAL LETTER on the "Free Soil" controversy, with a discussion of the opposing candidates of the Democrats and the Whigs, for two disputed seats in the House of Representatives. Chase was very active in the Free Soil movement of 1848, presiding at the Buffalo convention and drafting in part the platform "no more slave states, and no more slave territory."

Washington 1940



Collection  
# 635  
1944

E 984 SUMNER, Charles. Distinguished Mass. statesman. A.L.S., 3pp, 8vo, Washington, Apr. 13, 1865. To Salmon P. Chase, former Secretary of Treasury under Lincoln. Extraordinary letter of Lincoln interest, written the day before the assassination. "... I find Stanton much excited. He had a full and earnest talk with the Presdt. last eve. and insisted that the proposed meeting at Richmond should be forbidden. He thinks that we are in a crisis more trying than any before, with the chance of losing the fruits of our victory. He asks if it was not Grant who surrendered to Lee, instead of Lee to Grant. He is sure that Richmond is beginning to govern Washington. The Presdt. is very anxious. So far as I can see, his speech has fallen very dead." \$20.00

April 1864

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NO MAN IS FIT TO BE  
PRESIDENT WHO WILL  
SCRAMBLE FOR IT

—S. P. Chase\*

"Under no circumstances could I consent to allow my name to be offered to the Consideration of a National Convention without the cordial support of Ohio—and not only cordial but practically unanimous. The Action of the Union Men in the Legislature showed that this was not to be had. Nor under any circumstances could I allow my name to be used as the watchword of discord & derision . . . IT IS MY FAITH THAT NO MAN FIT TO BE PRESIDENT WILL ENTER INTO A SCRAMBLE FOR IT. TO A RIGHT MINDED MAN IT IS ONLY A PLACE FOR HARDER & MORE USEFUL WORK & IF THE PEOPLE DON'T WANT HIS WORK HE WON'T BEG THEM TO USE IT . . ."

\*CHASE, SALMON P. Chief Justice U. S. Supreme Court, Secretary of the Treasury in Lincoln's Cabinet. ALS, 3pp, 4to, Washington, March 19, 1864. To W. T. Coggeshall, regarding his (Chase's) aspirations for the Presidency. \$20.00

# LINCOLN LORE

Bulletin of the Lincoln National Life Foundation - - - - Dr. Louis A. Warren, Editor  
Published each week by The Lincoln National Life Insurance Company, Fort Wayne, Indiana

Number 971

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November 17, 1947

## SALMON P. CHASE — SECRETARY OF THE TREASURY

The appointment of Salmon Portland Chase to a cabinet position virtually brought into the official family the Secretary's daughter, Kate. While Lincoln was aware that the appointment of Montgomery Blair would result in acquiring the support of the famous Blair triumvirate, he could not have anticipated that the daughter of the newly appointed Secretary would aspire to a political partnership with her father which would stop at nothing short of promoting the senior member's bid for the presidency.

Chase was educated by his paternal uncle, Bishop Philander Chase, for the Episcopal clergy. While the inoculation did not take, there is no evidence that Chase lost any of the pious characteristics which the religious environment of his formative years had bequeathed to him. If the cabinet had chosen a chaplain from among their group, Chase would have been the best qualified candidate.

Bishop Chase may have had some consolation in seeing his protégé, after graduating from Dartmouth, start out in the teaching profession. When, however, the youth began reading law in the office of William Wirt at Washington, it became quite certain that with the moral issue of slavery foremost in the political arena, he would finally enter the field of politics.

Having been admitted to the bar in Ohio in June, 1830, upon locating in Cincinnati, a border city, he was continually brought in touch with the legal aspects of the slavery controversy and he soon became known as the "Attorney-General for runaway negroes."

Starting out as a Whig, by 1841 he had cast his lot with the struggling Liberty party and with its absorption by the Free Soilers and cooperation of the Anti-Slavery Democrats, Chase was sent to the United States Senate in 1848. By 1851 he became affiliated with the regular Democratic party and through the collaboration of several anti-slavery groups, which later became affiliated with the Republican party, Chase was elected governor of Ohio in 1855.

By 1860 the Republican party had come into its stride and at their Ohio State Convention in 1860 resolved that at the National Republican Convention in Chicago, "they would indicate as their first choice and recommend to said Convention the name of Salmon P. Chase" for the presidency. The results of the Chicago Convention are

known to all but although Chase failed to receive much support outside Ohio he nevertheless put himself in a position to be selected as a member of Lincoln's Cabinet.

After the election in the fall Mr. Chase returned from Springfield where "at Mr. Lincoln's request" he had gone for a conference and on January 9, 1861, in answer to a letter from Thad Stevens, he gave a frank expression

### SALMON PORTLAND CHASE

Born in Cornish, N. H., Jan. 13, 1808

Graduated from Dartmouth, 1826

Established a classical school for boys in Washington, D. C.

Studied Law with William Wirt

Admitted to Maryland bar, 1830

Became successful lawyer in Cincinnati

Assisted in establishing Liberty party, 1841

Presided over Free Soil Convention, 1848

Sent to U. S. Senate by coalition of Free Soilers and Ohio Anti-Slavery Democratic party, 1848

Joined the regular Democratic party, 1851

Elected governor of Ohio, 1855

Again sent to Congress, 1860

Received appointment as Secretary of Treasury, March 5, 1861

Resigned as Secretary of Treasury, June 30, 1864

Appointed Chief Justice of the United States, Dec. 6, 1864

as to his opinion of the President Elect: "Mr. Lincoln conversed frankly and fully. *He is a man to be depended on.* He may, as all men may, make mistakes; but the cause will be want of sufficient information, not unsoundness of judgment or of devotion to principle."

Critics of Lincoln's Cabinet choices have been slow to bring any charges of incompetence against the Secretary of the Treasury and with Seward and Stanton he has usually been considered one of the "Big Three" among Lincoln's advisors. He has left his imprint upon both United States cur-

rency and coin. Known as father of the Greenbacks, he placed the nation on a sound financial basis and on the coins of the nation he was primarily responsible for the inscription "In God We Trust."

Not only was Lincoln continually disturbed by generals more anxious to fight political opponents than the enemy, but in his official family possibly the most efficient member of all continually was nursing political ambition. The charming Kate Chase daughter of the Secretary, may have been more responsible than we know for keeping constantly alive in her father's mind the hope that he one day might be President. Convinced of her father's superior ability she refused to become resigned to his withdrawal from the ranks of available candidates for the Presidency even after he had been defeated at Chicago. Figuratively she always wore through her father's life a campaign badge: "Chase for President."

Much has been said about political factions in Pennsylvania with which Lincoln had to contend in making cabinet appointments but it is doubtful if any group gave him so much trouble as the Chase adherents of Ohio. If two political pamphlets which apparently originated with the pro-Chase contingency had never been published, history would have had a much better opinion of Lincoln's Secretary of the Treasury, and we might add of his daughter, as well.

It is accepted generally that she played a major part in keeping a nucleus of Ohio politicians continually sold on her father's presidential availability. Her influence was not retarded by her marriage in 1863 to the multimillionaire senator, William Sprague, of Rhode Island. Her social contacts with unlimited funds on which to draw for entertainment, were made with her father's welfare in view.

It seems altogether fitting that Chase and his daughter Kate, should be buried side by side in Spring Grove Cemetery at Cincinnati.



I 24 **CHASE, Salmon P.** (1808-1873). Secretary of Treasury under Lincoln. Chief Justice Supreme Court. A.L.S., 1p. 4to, Columbus, Feb. 27, 1858. To "Dear Stansbury". Sending a commission, with warm personal greetings. Mentions the proposal that he become the Republican candidate in 1860. He is grateful, "but I know how many abler men there are in the world, & that a man who has always offered jobs and jobbers is not likely to receive that active spiritual advocacy which is necessary to a nomination." Written while Chase was Governor of Ohio. With an engraved portrait. \$12.50

I 25 **CHASE.** A.L.S., 1p. 4to, Treasury Department, May 21, 1864. Written when Secretary of the Treasury, to E. M. Stanton. "Dr. Elliott raised a regiment & led it into the field. He has since raised another. He desires some Highland caps imported for the 2d admitted free of duty." Chase refers the request to Stanton, who was then Secretary of War. An entertaining sidelight on the Civil War. Dr. Samuel M. Elliott, born in Scotland, was an eminent oculist in New York City, although some of his startling successes brought upon him the accusation of charlatanism. He was wounded in the battle of Bull Run, but later raised the Highland Brigade, to which this letter doubtless refers. With an engraved portrait. Chase is rare of this period. \$10.00

I 26 **CHAUNCEY, Isaac** (1772-1840). Commodore. Distinguished in War of 1812. A.L.S.,

*The Collector*  
1949 F 600





# Lincoln Lore

Bulletin of the Louis A. Warren Lincoln Library and Museum. Mark E. Neely, Jr., Editor.  
Mary Jane Hubler, Editorial Assistant. Published each month by the  
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March, 1979

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## PEYTON McCRARY ON LINCOLN'S LOUISIANA EXPERIMENT: A REVIEW

The capture of New Orleans by Commodore David Glasgow Farragut on April 25, 1862 gave the North a pleasing taste of victory and gave the Lincoln administration an opportunity to test the depths of Confederate sentiment in a state of the lower South. To judge from the fact that Federal troops occupied the state for fifteen years thereafter, one would have to say that the sentiment ran very deep indeed. Professor Peyton McCrary's book, *Abraham Lincoln and Reconstruction: The Louisiana Experiment* (Princeton: Princeton University Press, 1978) agrees that the sentiment was strong but argues that the opportunity to use white Southern dissidents and Negroes as a base upon which to build a viable party to revolutionize that sentiment was missed. He lays most of the blame for missing the opportunity on General Nathaniel P. Banks and not on the man who chose him to reconstruct Louisiana, Abraham Lincoln.

Chapter VI is the crucial one for Lincoln students. Reconstructing Louisiana would be no more difficult than "the passage of a dog law in Massachusetts," General Nathaniel P. Banks, military commander of the Department of the Gulf, informed President Lincoln in one of the extreme political understatements of American history. Anxious for speedy action towards reconstruction in occupied Louisiana, disgusted with the slow progress to date, and impressed with Bank's extravagant promises of quick results, Lincoln wrote the general on Christmas Eve, 1863, to make him "master of all" in giving "us a free-state reorganization of Louisiana in the shortest possible time." No longer would jurisdictional disputes between the military governor, George F. Shepley, and the commander of the military district, Banks,

slow the reconstruction process. Lincoln could not have been much impressed, either, with the work of the local radical white movement for reconstruction led by the Free State General Committee. They had been fumbling along with Shepley to organize elections for a constitutional convention in Louisiana, and Banks would presumably be their master

too. However, Lincoln did state carefully that Banks was not "to throw away available work already done for reconstruction," and the Free State Committee had been doing much of that work.

The immediate background of Lincoln's letter to Banks was the visit to Washington of two Louisiana conservatives, Thomas Cottman and James Riddell. These men led a movement opposed to Negro suffrage, and they argued that occupied Louisiana would likely be willing to return to the Union under the provisions of the President's recent Proclamation of Amnesty and Reconstruction (December 8, 1863) and thus recognize emancipation — if "they could come back to civil government under their [existing] constitution and laws." In other words, they feared the movement of the Free State Committee, which was beginning to show itself willing to cooperate with elite Negro groups in Louisiana, to draw up a new state constitution before electing a new government for the state and presenting the state to Congress for readmission to the Union. The old state constitution, of course, restricted voting to whites only. They told Lincoln that Louisiana's citizens would not accept a government reconstructed with Negro votes. The day before Lincoln wrote his letter giving Banks exclusive control of the situation, Riddell wrote the general to tell him that the President would soon send a letter authorizing him to take control.



From the Louis A. Warren  
Lincoln Library and Museum

FIGURE 1. General Nathaniel P. Banks.





From the Louis A. Warren  
Lincoln Library and Museum

FIGURE 2. Lincoln is depicted as the impossible idealist Don Quixote in this political cartoon by the brilliant Copperhead etcher, Adalbert Johann Volck. Benjamin F. Butler makes an excellent Sancho Panza, ironically rooting Lincoln's idealism in the earthy character of this cockeyed general reputed to have stolen silverware from the mansions of occupied New Orleans (note the knife stuck in his belt). Butler, who incurred Volck's talented wrath when he commanded Federal forces in the cartoonist's beloved Maryland, went on to command Federal forces in occupied New Orleans and to become a favorite target of Volck's savage wit. The artist wrote and illustrated the *Life and Adventures of B. F. B. (Bombastes Furioso Buncombe), The Warrior, Sage and Philanthropist, A Christmas Story* in 1862 and reissued it with slight changes in 1868 as *The American Cyclops, The Hero of New Orleans and Spoiler of Silver Spoons*. Butler's sensational actions in New Orleans did much to focus national attention on events in Louisiana. This fine example of Volck's work is a recent acquisition of the Louis A. Warren Lincoln Library and Museum and joins a rare set of his pro-Confederate etchings.

General Banks then lied to Lincoln, or at least neglected to tell him the whole truth. On December 30, 1863, he told the President that his own scheme — which, by design or by coincidence, was like the scheme suggested by Riddell and Cottman — would work faster than that of the Free State Committee. Banks said that the election called for by that Committee could not be held until March; he did not tell him that they were calling for elections on January 25th. McCrary considers this deception important for explaining Lincoln's shift in reconstruction policy for Louisiana.

McCrary points out still another important change in the Louisiana situation. George Denison, a Treasury agent in New Orleans appointed by Salmon P. Chase, had given up his opposition to Banks's policies in the state by the time Lincoln turned the Louisiana operation over to Banks. The general could now count on the cooperation of this powerful Treasury Department presence in the state, but the price of Denison's support — as an intermediary between Denison and Banks, B. Rush Plumly, told Chase — had been a promise by Banks to deliver reconstructed Louisiana's delegates to the Republican Presidential nominating convention in 1864 to Chase rather than President Lincoln. Of all this, of course, Lincoln was profoundly ignorant, as all historians have been since. Denison personally carried Banks's deceptive letter to Lincoln in Washington.

McCrary's is certainly the best account of the origins of reconstruction policy in Louisiana in 1863-1864, but, even so,

its meaning is not as clear as McCrary seems to think it is. To him it seems that Banks had engineered a "coup," altering the radical direction of Louisiana politics under the Free State Committee's leadership and forcing Lincoln to move in a more moderate direction led by General Banks. McCrary attributes the general's motivation to political ambition. An outsider could more quickly organize a few candidates for a state government than he could a hundred delegates for a constitutional convention, and a speedy restoration of the state would be a political achievement helpful to his dark-horse chances for a Presidential nomination in 1864. Moreover, McCrary claims, "Banks' ideological differences with the radicals centered on the question of Negro suffrage, which he feared would antagonize many potential supporters of the free state movement." Lincoln's "motivation . . . in throwing power into the general's hands" is "not entirely clear" to McCrary, but he stresses that "Banks had deceived him about the situation: the President did not know that the radicals were ready to hold an election within a month." On the other hand, McCrary admits, "Lincoln may have shared the general's reluctance to countenance Negro suffrage in Louisiana for fear of antagonizing conservative opinion."

McCrary makes a great advance over the existing literature on the subject, but he somewhat overstates his case. He can prove "deception" — a powerful word in swaying the reader's sentiments — only in the case of the timing of Banks's election as opposed to that called for by the Free State Committee. Yet that deception occurred *after* Lincoln had given control to Banks on the 24th; Banks's letter about election dates was dated the 30th. Otherwise, Banks's campaign to secure control of Louisiana politics had been based on oversanguine predictions and a braggart's inflation of his own abilities, but the election dates provide the crucial case for deception — and they could have nothing to do with Lincoln's decision to make Banks "master of all."

The true origins of Lincoln's shift to Banks in Louisiana lay in the visit of Cottman and Riddell. The latter's letter of December 23, 1863 accurately predicted what Lincoln's letter of December 24, 1863 would do: give the authority to Banks. The Louisiana conservatives had also given the President an earful of arguments proving that Louisiana would never swallow a reconstruction brought about even in part by Negro votes. Nor does it seem fair to call Banks's view that Negro suffrage would block acceptance of any new Louisiana government an "ideological" difference from the Free State Committee. It was a tactical one, a practical one, a question of means rather than of ends. The use of the word "ideological," however, tends to conjure up in the reader's mind a frothing-mouthed ideologue of racial hatred.

There can be no blinking this chronology away, and it is ironic that so gifted a narrative historian would do so. It is especially ironic because McCrary's conclusion stresses the importance of the "precise chronology of events" in December of 1863. To be sure, much of the chronology points to the accuracy of McCrary's conclusions, and it is only fair to quote the fuller chronology here:

A major turning point in wartime reconstruction occurred in December 1863, when General Banks decided to seize control of the reorganization of civil government in Louisiana. . . . The general asked Lincoln to grant him full authority over reconstruction on December 6, before learning of the President's ten-percent proclamation — but after Durant [leader of the Free State Committee] had openly advocated the limited enfranchisement of blacks. Lincoln's proclamation was delivered to Congress, moreover, before he received Banks' request; nothing in the document necessitated the substitution of Banks' new plan for a continuation of the existing program of reorganizing civil government through a constitutional convention. The sole issue involved was Lincoln's impatience with the slow pace of voter registration, which Banks attributed to the incompetence of Shepley and Attorney General Durant. In none of his correspondence with the President did Banks mention the controversial issue of Negro suffrage; nor did Lincoln comment on the question when authorizing the general to take charge of reconstruction, even though representatives of the sugar planters had just told him in his White House office that Durant was already registering the free men of color. The President's instructions to Banks on December 24 did not preclude the adoption of Negro suffrage; in fact, they suggested that the general continue to work with the leaders of the Union Association. It was Banks' idea to throw down



the gauntlet to the New Orleans radicals and offer the full weight of military influence and patronage to the moderate minority within the Union Association.

Making Banks the active source of change in policy from radical to moderate is a bit less convincing than McCrary's interesting proof that Lincoln did not shift to Banks in order to keep Louisiana from falling into the hands of radicals who would support Chase for the Presidency. Ironically, it was Chase's man Denison, who carried Banks's deceptive letter to Lincoln, and Denison's willingness to work with Banks to get Louisiana's delegates for Chase surely discredits the old view of Lincoln's shift in Louisiana as a shift away from Chase. In fact, one of McCrary's most valuable contributions is to show the unity of the Free State movement before Banks took over; Banks's policies created a factional split in 1864.

McCrary's emphasis on the passage in Lincoln's letter to Banks which cautioned him against throwing away existing work towards reconstruction seems very proper. When Denison brought Banks's letter to Lincoln, what a vision of unity in Louisiana Lincoln must have seen!

McCrary is at his best in showing that Andrew Johnson, when he assumed the Presidency after Lincoln's assassination, completely reversed the policies of his predecessor. Lincoln had created a moderate regime led by Banks's favorite, Governor Michael Hahn. When Hahn resigned to run for the United States Senate, Madison Wells assumed the office. He very quickly executed a conservative coup, replacing the mayor of New Orleans with a man who in turn replaced most of the local officials with conservatives and returning Confederate veterans. Wells himself appointed former Confederate Major Paul Théard as judge and filled other offices with conservatives, planters, and ex-Confederates. Even General Beauregard was expecting an appointment. Banks returned from Washington as military commander and quick-

ly confronted Wells. The Governor asked President Johnson to give him Banks's powers. Banks halted Wells's removals, replacing the new mayor of New Orleans with a former captain of a Negro regiment. Wells demanded that the President intervene, and on May 17, 1865, Johnson deprived Banks of command. Johnson sustained Wells's reorganization of the state completely. Lincoln may have failed to bring about a revolution in Louisiana politics and society, but Andrew Johnson certainly brought about a counterrevolution against the moderate Banks-Lincoln government. McCrary states it very well: "When Andrew Johnson assumed the presidency in 1865 he pursued a reconstruction policy antithetical to that of his predecessor, if viewed in terms of its impact on the party system rather than in light of superficial constitutional similarities." Of this there can be no doubt.

Lincoln students will also find in McCrary's book the best treatment in print of Lincoln's last speech. Delivered from the torchlit balcony of the White House on the night of April 11, 1865, Lincoln's speech, McCrary says, "made a less favorable impression when delivered than when read in the morning newspaper." The speech dealt "almost exclusively with events in Louisiana." Significantly, Lincoln had asked Senator Charles Sumner, radical critic of his Louisiana policies, to appear with him on the balcony while he gave the speech. Sumner declined, but McCrary notes acutely that Lincoln did not ask Banks to appear, though Banks was in town and had been lobbying for Lincoln's Louisiana government for months. Lincoln defended his commitment to the moderate government of Michael Hahn, "but as bad promises are better broken than kept," he said fairly, "I shall treat this as a bad promise, and break it, whenever I shall be convinced that keeping it is adverse to the public interest." He concluded with those mysterious words which have puzzled and titillated historians for over a hundred years: "... it may be my duty to make some new announcement to the people of the South." McCrary's view is that Lincoln was most likely to announce that he would institute a more radical reconstruction policy.

There are many insights, too, that are tangential to the Lincoln theme. I know no better treatment, for example, of General Benjamin F. Butler's decision to use Negro troops in Louisiana. In the spring and summer of 1862, General Butler was embroiled in a feud with General John W. Phelps over contraband Negroes in occupied Louisiana. Picturing himself in his autobiography as a radical in advance of his times on this question, Butler has recently been attacked as a conservative opponent of Phelps's schemes to arm free Negroes in Louisiana. McCrary shows that Butler was an opportunist and that the real impetus to arm free Negroes in Louisiana came from the administration to a reflective and vacillating General Butler, who was neither radical nor conservative in this instance. Butler acted the part of the good soldier awaiting orders. The "President of the United States alone," he told Phelps, "has the authority to employ Africans in arms as part of the military forces." Without actually praising Phelps's attempts to arm Louisiana Negroes, Lincoln answered complaints from white Louisianans by telling them they could rid themselves of Phelps by making the state loyal to the Union again. Significantly, he entrusted responses to Butler on the question to Salmon Chase, who advocated arming Negroes. On July 31, 1862, Chase told Butler, "I have heard intimations from the President that it may possibly become necessary, . . . to convert the heavy black population . . . into defenders." Butler had been ambivalent before. He struggled with Phelps because of orders from superiors and not because of personal disapproval of radical policies. His own views were ambivalent but thoughtful. Phelps seemed at times to be stirring up trouble among the blacks. Butler expressed fear of "a negro insurrection," but commented blandly: "... the negroes are getting saucy and troublesome, and who blames them?" Later he would make a similar remark to his wife: "We have danger here of an negro insurrection. I hardly know whether to wish it or fear it most." George Denison told Chase that Butler's opposition to Phelps "was not a matter of principle." Butler simply "wanted the credit of doing it himself, and in his own way."

To focus on sections of the book of most interest to Lincoln students is to give an unbalanced picture of McCrary's work. It is masterful in its sweep. The early chapter on Louisiana before the Union occupation is a model of social and political landscape-painting. He is able to benefit from the statistical tools of the modern political historian, but his extremely skill-



From the Louis A. Warren  
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FIGURE 3. General P. G. T. Beauregard.



ful use of printed and manuscript sources — especially his sensitive use of articulate diaries — allows him to render his findings in a most fluent and readable prose. He understands the nature of political parties. Above all, he is steeped in knowledge of Louisiana history.

McCrary's thesis, which stresses the potential for social change in Louisiana offered by the Federal army, is sustained by his finely textured narrative of Louisiana history only in part. Here is his fullest statement of the case:

In terms of political survival, then, "Mr. Lincoln's model of reconstruction" proved a failure. Indeed, as long as President Lincoln stuck to the moderate strategy of party building employed by General Banks, it is difficult to see how it could have been otherwise. The general's assumption that a conciliatory approach would win the support of a majority of the white population contradicted the elemental political arithmetic of Louisiana and defied what might be called the central rule of any civil war: the irreconcilability of insurgents and incumbents. The polarization between left and right that leads to the outbreak of a revolutionary civil war is not "resolved" by the conclusion of armed struggle, except to the degree that the victors are able to force their ideological will upon the losers through the application of governmental power. . . .

The political dynamics of the American Civil War raised almost insurmountable obstacles in the path of the moderate reconstruction policy with which Lincoln was associated. Without suggesting that the revolutionary strategy advocated by men like Wendell Phillips or Charles Sumner would have achieved all their hopes for racial justice and Republican rule in the postwar South, it does seem to be true that the radicals advocated a more practical approach than General Banks.

McCrary is correct in asserting that wartime hatreds could not end with Northern victory in 1865, and he is right, too, to think that civil war permitted revolutionary policies unthinkable to American politicians in peacetime. Emancipation itself was one. Finally, it is true that political arithmetic in the Southern states required either black voting, military occupation, or control by ex-Confederates when the war was over.

Lincoln was a good student of political arithmetic. As G.S. Boritt has shown, when Lincoln followed policies at odds with the numerical facts of life (in advocating colonization, for example), he was not paying close attention to the problem at hand. Lincoln avoided the arithmetic of colonization as a psychological necessity, but his defiance of the arithmetic of loyalty in the South was a function of another problem. "Reconstruction was the crucial question of national politics — at least as a theoretical issue — from the moment the states of the lower South seceded from the Union," McCrary says, and this is probably the cardinal point of the new students of reconstruction policy in the Civil War. However, it is not true. The crucial question was winning the war. Though it is proper to see continuities in the hatreds of the Civil War and Reconstruction periods, the discontinuities in terms of constitutional possibility and central political concern are important as well.

Lincoln was thinking of winning the war. He thought Federal emancipation would help win it, though it was a peacetime impossibility. He thought Louisiana's political defection from the Confederate States of America would help win it too. He was less interested in Banks's policies than in Banks's speed in bringing Louisiana out of the Confederacy and into the Union. Banks thought much the same way. His "ideological" differences from the local radicals were often actually differences in estimates of what would get Louisiana out of the Confederacy fastest. Otherwise, he would not so clearly appear to be an opponent of Madison Wells in 1865. The political arithmetic of peacetime would face the constitutional conservatism of peacetime. The war was a revolutionary situation only for activities clearly related to war-making. That situation ended in 1865.

McCrary calls Banks's reasoning "curious" when the general told Lincoln that Louisiana would accept an emancipation forced on it by Banks but would never actually vote for emancipation if a radical constitutional convention offered a free constitution. "Their self-respect, their *amour propre*, will be appeased if they are not required to vote for or against it," Banks said. Curious this may be, but it is revolutionary logic, and it did recognize the grim political arithmetic of Louisiana's slave society.

It is not a small matter to argue with the thesis of a book, but in this case it by no means threatens the overall worth of the book. McCrary's is the definitive study of Lincoln's Louisiana policy, and it is an enormously informative work. There can be no quarrel with that.

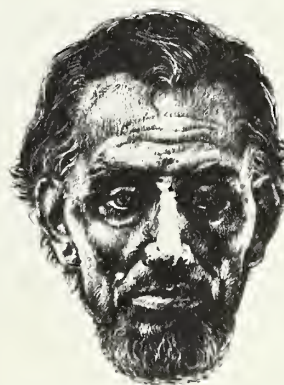
Happily, Princeton University Press served its capable author well. I detected only one typographical error (page 183). The editors allowed a couple of slips here and there: Oliver B. Morton on page 281 should be Oliver P. Morton, and Edwin Bates on page 288 should be Edward Bates. McCrary overuses the verb "demonstrate" and the phrase "on a \_\_\_\_\_ly basis." Otherwise, the writing and printing are immaculate. The footnotes are at the bottom of the page, and the editors allow long ones when necessary. Except for the inexplicable absence of a political map of Louisiana, it is a model of book-making, and McCrary's historical work deserves it.

Beginning with Herman Belz's superb book *Reconstructing the Union: Theory and Policy during the Civil War* (Ithaca: Cornell University Press, 1969), Lincoln students have come increasingly to question the older view that Lincoln would have been "soft" on the South. Most who have done so, however, have been forced to dance around the events in Louisiana, for it is a subject as complex as it is important. Historians need not avoid the subject any more. Peyton McCrary's beautifully written *Abraham Lincoln and Reconstruction: The Louisiana Experiment* is a detailed but eminently understandable narrative of the history of early attempts to reconstruct Louisiana. The subject of the book is really Louisiana and not Abraham Lincoln, but the events are of such importance for the history of the Lincoln administration that no Lincoln library should be without a copy.

## ABRAHAM LINCOLN AND RECONSTRUCTION

THE LOUISIANA EXPERIMENT

by Peyton McCrary

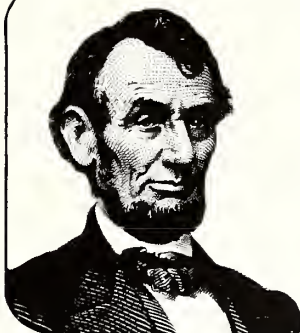


PRINCETON UNIVERSITY PRESS  
PRINCETON, NEW JERSEY

From the Louis A. Warren  
Lincoln Library and Museum

FIGURE 4. Title page of the book.





# Lincoln Lore

April, 1980

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Mary Jane Hubler, Editorial Assistant. Published each month by the  
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Number 1706

## BROWNING'S PECULIAR TURN TO THE RIGHT

Those who keep diaries often influence the writing of history far more than they influenced events in their own day. Gideon Welles occupied a position in Lincoln's Cabinet inferior to William H. Seward's and Edwin M. Stanton's, but his sourly independent diary wrecked the reputations of dozens of Washington politicians. One reason the Radical Republicans have fared so poorly in historical writing is that most of the prominent diarists around Lincoln hated them. Welles, John Hay, and Edward Bates saw them as "Jacobins," but there is little evidence that the President saw the Radicals the same way. Salmon P. Chase, whose diary might have balanced the picture over the years, never had the influence on historical writing that the conservatives had, because he did not as clearly admire Lincoln as they did. Criticizing Abraham Lincoln has never been a good way to gain the trust of historians.

The other great diarist near the Lincoln administration, Orville Hickman Browning, was also a Radical-hater. His erratic and ultimately inexplicable political course during the Civil War reveals the danger in relying too heavily on diaries, which may reflect peculiar political positions.

Browning was never much of a "Lincoln man." He had hoped that Edward Bates would be the Republican nominee for President in 1860. However, the Illinois delegation, of which Browning was a member, was pledged to Lincoln, and Browning worked for Lincoln's nomination at the convention. Even after the nomination, Browning thought that "we have made a mistake in the selection of candidates." His assistance in getting Bates to support the Republican ticket proved vital, but Browning had little luck in recommending Cabinet appointments. He wanted to see Bates become Secretary of State and Joseph Holt, Secretary of War. Browning's was one of many voices raised against Norman B. Judd's inclusion in Lincoln's official family.

Browning exercised his greatest influence on the Lincoln

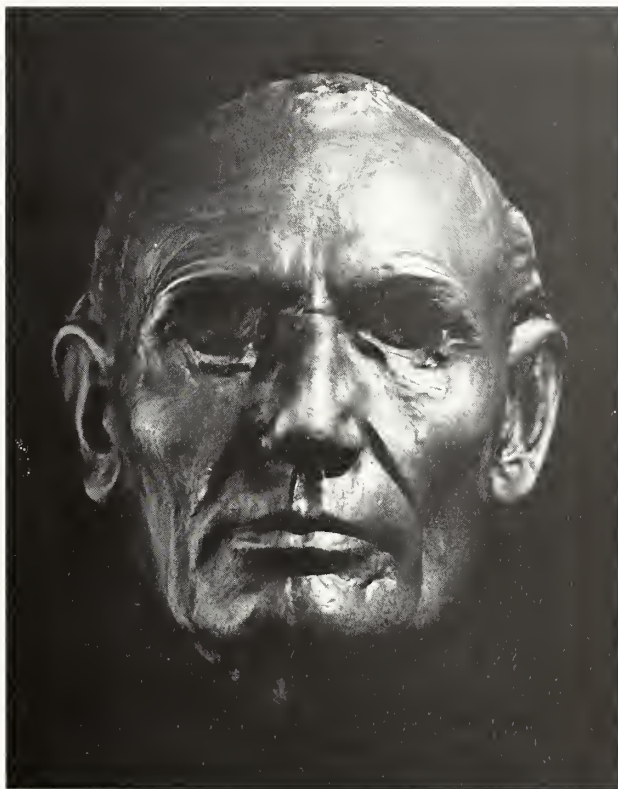
administration when he read a draft of the First Inaugural Address and suggested removing a provocative threat to "reclaim the public property and places which have fallen" in the seceded states. Browning's reasoning has often been taken as Lincoln's. He admitted that Lincoln's draft was right in principle without altering the threat to "reclaim" federal property, but, Browning explained,

In any conflict which may ensue between the government and the seceding States, it is very important that the traitors shall be the aggressors, and that they are kept constantly and palpably in the wrong.

The first attempt that is made to furnish supplies or reinforcements to Sumter will induce aggression by South Carolina, and then the government will stand justified, before the entire country, in repelling that aggression, and retaking the forts.

After Fort Sumter fell, Browning imputed his own reasoning to Lincoln. "Upon looking into the laws," he told the President on April 18, "which clothe you with power to act in this emergency, I am not sure that you expected, or desired any other result."

Browning was a conservative by nature, but war brought out a radical streak in him. If Baltimore stood in the way of troops coming to protect Washington, he told Lincoln, it should be "laid in ruin." Before April was over, he thought it likely that slaves would flock to the Union armies and inevitably "rise in rebellion." "The time is not yet," he added, "but it will come when it will be necessary for you to march an army into the South, and proclaim freedom to the slaves." Browning celebrated General John C. Frémont's proclamation freeing the slaves of rebels in Missouri in the late summer of 1861, and he thought the President wrong to revoke it. Frémont's proclamation did "not deal with citizens at all," Browning remonstrated, "but with public enemies." Citing precedents in international law, he insisted that war abolished society and



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Lincoln Library and Museum

**FIGURE 1.** Browning recalled that sculptor Leonard W. Volk had worked in a marble yard in Quincy, Illinois, Browning's home. Lincoln's friend thought Volk's bust of Stephen A. Douglas "decidedly a work of genius." Volk is better known for his famous life mask of Lincoln. Dr. O. Gerald Trigg allowed the Louis A. Warren Lincoln Library and Museum to photograph his superb bronze casting of the mask with the striking result above. For more information on the mask and on Volk's famous castings of Lincoln's hands, turn to the second article in this issue of *Lincoln Lore*.



gave "liberty to use violence in *infinitum*." "All their property," Browning said, "is subject to be . . . confiscated, and disposed of absolutely and forever by the belligerent power, without any reference whatever to the laws of society." Lincoln disagreed sharply.

After the death of Senator Stephen A. Douglas in June of 1861, Governor Richard Yates appointed Browning to finish his term. In the Senate, Browning defended the administration's arbitrary arrests and voted for the First Confiscation Act. He voted to emancipate slaves in the District of Columbia.

After April of 1862, Browning turned suddenly to the right. He opposed the Second Confiscation Act and urged Lincoln to veto it. It was a test "whether he [Lincoln] was to control the abolitionists and Radicals or whether they were to control him." He praised Lincoln's letter in answer to Horace Greeley's "Prayer of Twenty Millions" for emancipation, and he bitterly opposed the Emancipation Proclamation that fall. Browning was campaigning for Congressional candidates in Illinois when he heard it had been issued, and he practically stopped in his tracks. He slowed down his campaigning, and he twice pleaded with Lincoln to alter the Proclamation.

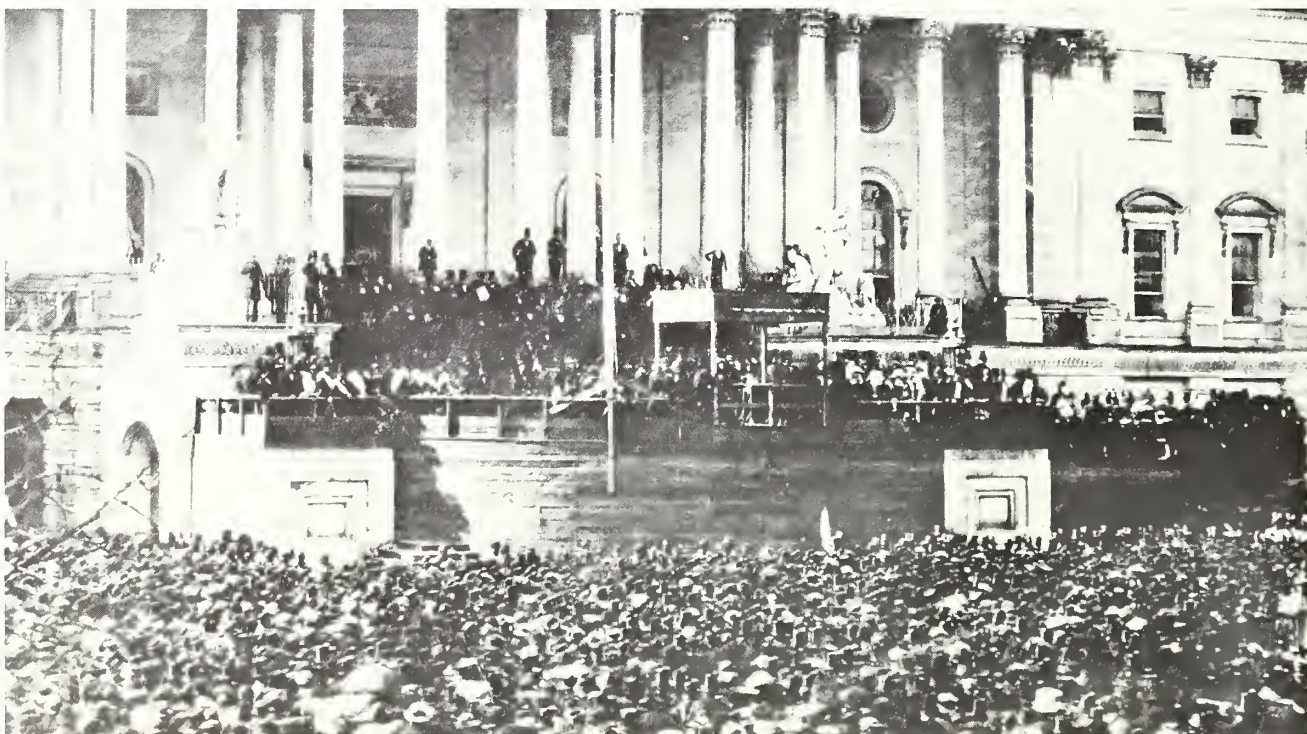
There is no explanation for the suddenness of Browning's change. In principle the Emancipation Proclamation was little different from Frémont's proclamation, and Browning had quarreled with Lincoln for revoking that. Lincoln's assault on slavery seemed to be legitimate by the very precedents in international law which Browning had called to Lincoln's attention. The Illinois Senator was disappointed that the President had not appointed him to the United States Supreme Court. He wanted the job so badly that he wrote Lincoln a somewhat embarrassed letter asking for it outright, admitting that it was "an office peculiarly adapted to my tastes." By the spring of 1862, Lincoln still had not filled the position, and many thought Browning was still in the running. Lincoln did not decide to appoint David Davis until July, and Browning had already turned to the right by that time.

Politically, Browning became increasingly disaffected from the administration. There was much doubt by 1864 that he would support Lincoln's reelection. Browning told a friend in September that he had "never . . . been able to persuade myself that he [Lincoln] was big enough for his position." No one knows how he voted in November. Browning's Civil War politics are an enigma to this day.



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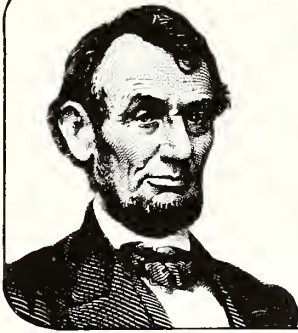
**FIGURE 2.** Orville Hickman Browning remained personally friendly to Lincoln even after their political disagreements. Gustave Koerner, a fellow Illinois Republican, always remembered Browning's "conspicuous . . . ruffled shirt and large cuffs." Their relations were pleasant enough, but Koerner would "have liked him better if he had been a little less conscious of his own superiority."



**FIGURE 3.** Lincoln's first inauguration.

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# Lincoln Lore

September, 1981

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Mary Jane Hubler, Editorial Assistant. Published each month by the  
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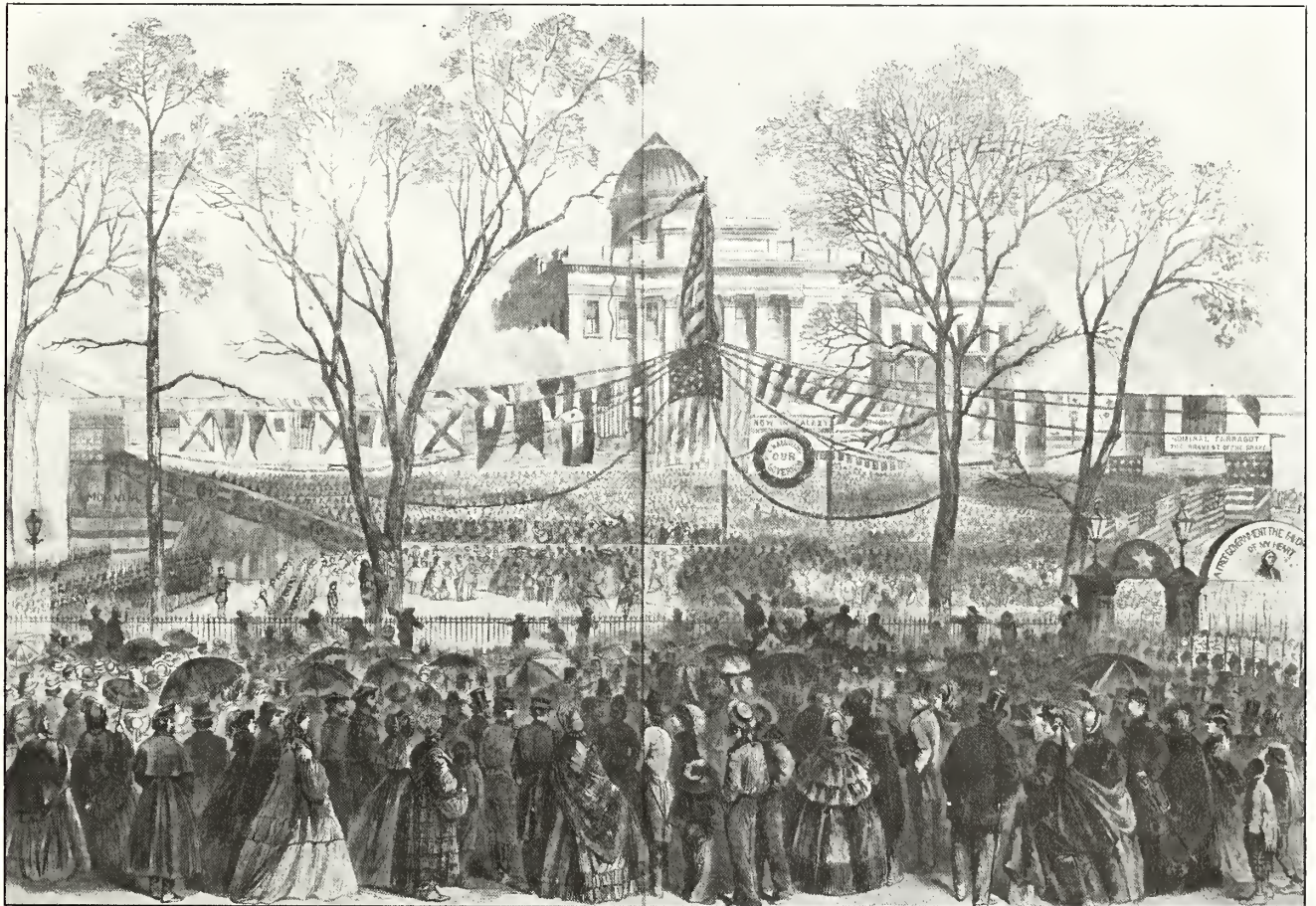
## LAWANDA COX ON RECONSTRUCTION IN LOUISIANA: A REVIEW (Cont.)

The President then blamed Banks for the lack of progress, and the general, whose military duties kept him from seeing Lincoln's letter until December 2nd, did not get around to defending himself until December 6th. Banks said, and it was true, that he had no orders authorizing him to take charge of the political situation. Since word that it would take a long time to organize a constitutional convention in Louisiana came from Durant himself, it is little wonder that Lincoln turned to Banks and sustained him, as Mrs. Cox argues, when he differed with Durant and the Free State movement.

Mrs. Cox's understanding of the situation in Louisiana is markedly different from McCrary's. In her book, Banks is depicted as leading a temporarily successful Unionist move-

ment in Louisiana fully in keeping with the President's wishes. In his book, Banks is depicted as the President's deceiver. In Mrs. Cox's work, Durant appears as a difficult stumbling block to progress toward the goal of making Louisiana a free state before adverse political developments in 1864 could undermine the work. In Mr. McCrary's work, Durant appears as a man thoroughly wronged by Banks and a President working under false assumptions about political reality in Louisiana.

Mrs. Cox wins this argument hands down. Durant chose to make his name in history by opposing the Lincoln-Banks government and by claiming that it was engineered to undermine the radical Free Staters' desire to urge suffrage for Negroes in Louisiana. *Lincoln and Black Freedom* shows that in fact



From the Louis A. Warren  
Lincoln Library and Museum

FIGURE 1. Governor Michael Hahn's inauguration in New Orleans, March 4, 1864.





From the Louis A. Warren  
Lincoln Library and Museum

FIGURE 2. Mrs. Banks sponsored a splendid entertainment on election day in Louisiana.

the President, Secretary of the Treasury Salmon P. Chase, and Durant himself were, in the beginning, all in agreement on the suffrage issue. All three were committed to registering freeborn black citizens, principally the New Orleans Creoles.

Durant had not gone farther than that in urging black suffrage by February, 1864. And Lincoln had already gone that far. He had twice approved registration of freeborn Negroes as voters in Louisiana. Lincoln approved Secretary of War Edwin M. Stanton's order of August 24, 1863, telling the military governor in Louisiana to register "all the loyal citizens of the United States" there. Chase had objected to the first draft of the order, which stipulated organizing a constitutional convention based on the white population. The final order stipulated "loyal" citizens rather than "white" citizens. "For the instructions," Chase said, "we are indebted to Mr. Stanton and the President." In the following November, Chase had to write to urge Durant, in charge of the voter registration, to register Negro citizens. Durant replied that he favored it himself, but it would be helpful to have specific directives from Washington. Chase went to Lincoln. "I informed the President of your views on this subject," Chase told Durant on December 28, 1863, "and he said he could see no objection to the registering of such citizens, or to their exercise of the right of suffrage."

Banks ruined this hopeful unanimity of opinion on a delicate subject by opposing any black suffrage. He feared that the issue would divide Southern loyalists and endanger the abolition of slavery by the new state government. The split in the Louisiana loyalists which followed was Banks's fault, as McCrary and Cox both agree, but it was also Durant's fault. In a huff over Banks's assumption of power in Louisiana at the President's direction, he chose not to discuss and compromise but to fight the Banks government to the bitter end.

That opposition, combined with the suspicions of the radical

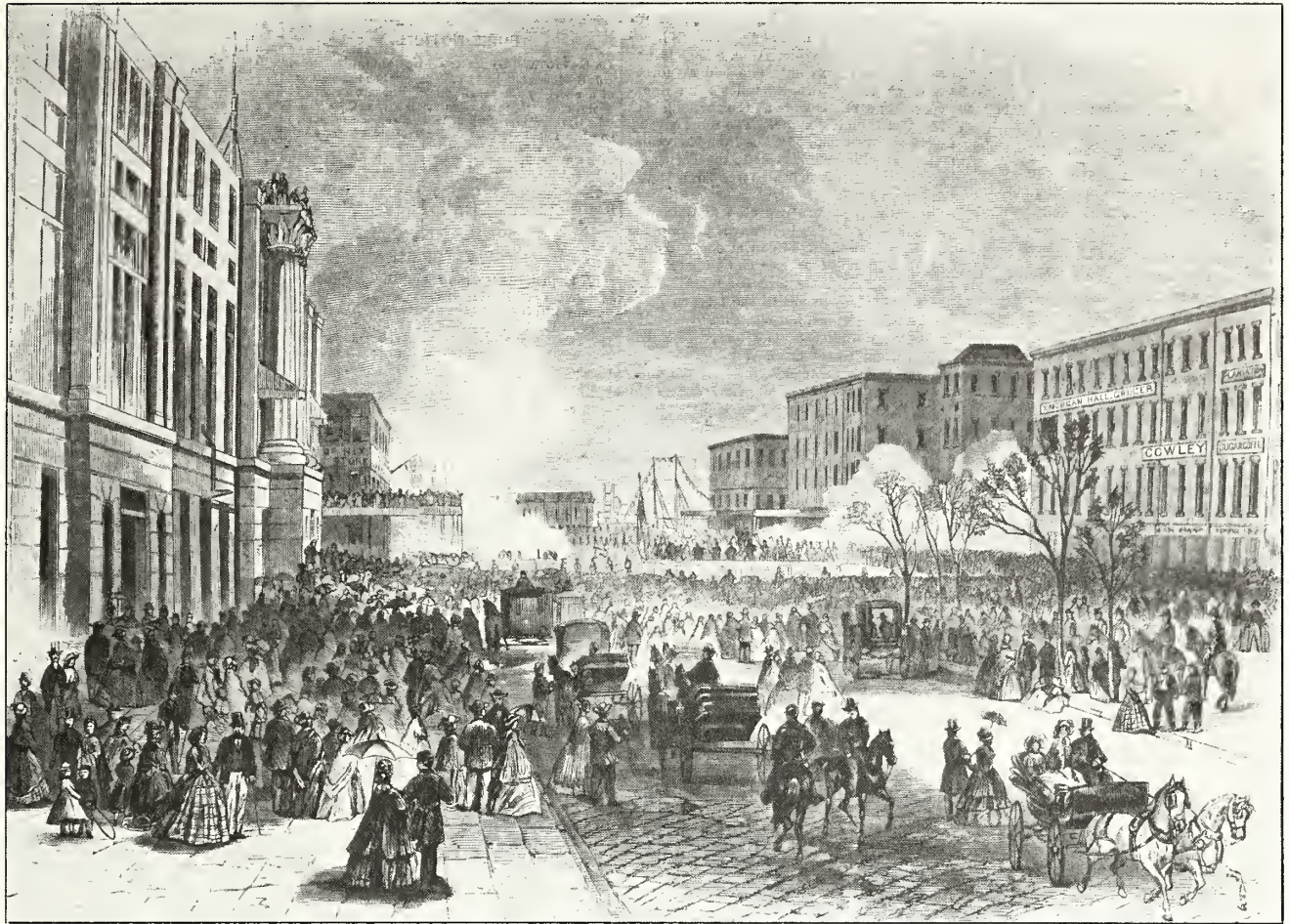
antislavery men that Lincoln was not radical enough to suit them, eventually doomed the Louisiana experiment. Banks, a political general if there ever was one, proved to be politically inept. Mrs. Cox describes the demise of the experiment with equally convincing attention to close reading of the documents and careful chronology. In sum, there is a great deal more in the book than can be described within the confines of this review.

If there is a significant flaw in *Lincoln and Black Freedom*, it is an error of omission rather than one of commission. Mrs. Cox tends to be a bit skimpy on biography. With as famous a figure as Lincoln, this is no problem. In his case she very properly focuses on the particular problem and aims at straightening out the reader's understanding of Lincoln's role in it.

With Nathaniel P. Banks, Mrs. Cox's failure to provide a wider biographical focus is more problematic. "The fate of Lincoln's free state," she says accurately, "suggests the vulnerability of presidential purpose and power to ineptitude of execution, the obstinacy of human nature, and misperceptions fired by the passion of great ends linked to personal conceits." She documents Lincoln's purpose in the Louisiana experiment better than anyone has ever done before. She finds the important instances of ineptitude. She describes Durant's obstinacy in unforgettable terms. She shows the vital links between personal conceits and conflicts over national policy. Yet Banks's inept policies are central to the story, as is his obstinacy and his conceit. They are as central as Lincoln's purposeful leadership, but they are not as well described.

Mrs. Cox realizes that Banks was too optimistic. When he told Lincoln that reconstructing Louisiana as a free state would be no more difficult than "the passage of a dog law in Massachusetts," Banks made one of the worst predictions in American history. Thirteen years of Federal occupation and struggle — some of it bloody — followed Banks's assumption of political control in Louisiana. There was special irony, as she points out,





*From the Louis A. Warren  
Lincoln Library and Museum*

**FIGURE 3.** While Louisiana's loyal citizens voted, a military band played in Canal Street. It was George Washington's Birthday, and the occupying troops marked the anniversary with patriotic fervor.

"in the political general failing to be politic." She shows very well what went wrong in Louisiana, but she does not say why Banks erred. There was the factor of his gross optimism, of course, but why was he so optimistic?

Only biography can tell, and the problematic nature of Banks's conception of the Louisiana experiment seems glaring enough to demand more attention to his biography. Advising President Lincoln on Louisiana policy in 1863, Banks said:

Offer them a Government without slavery, and they will gladly accept it as a necessity resulting from the war. Other questions relating to the condition of the negro, may safely be deferred until this one is secured. If he gains freedom, education, the right to bear arms, the highest privileges accorded to any race and which none has yet proved itself worthy unless it be our own, his best friend may rest content for another year at least.

In January, he told Lincoln that the government he was creating in Louisiana with the help of Federal bayonets would provide "for the gradual restoration of power to the people" but "in such manner as to leave the control of affairs still in the hands of the comm[an]ding General." When Louisiana citizens elected Michael Hahn governor, they "understood . . . that Mr. Hahn represents a popular power entirely subordinate to the armed occupation of the state for the suppression of the rebellion and the full restoration of the authority of the government." "The election perilled nothing," Banks told the President — "Had it resulted in the election of an opponent, he would be without power." When Louisiana's new constitution abolished slavery in September, Banks crowed: "History will record the fact that all the problems involved in restoration of States . . .

have already been solved in Louisiana with a due regard to the elevation of the black and security of the white Race."

Such optimism seems glaringly wrong in the light of subsequent events in Louisiana, but it is more than "twenty-twenty hindsight" that makes the error clear. Foresight at the time surely demanded that General Banks ask what would happen when the Federal troops left. Would the Negro's advance, left to the future, occur then? When the Confederates returned, the opposition would surely win elections. Would the opponents be powerless then? To be sure, Banks's statements were meant to let Lincoln know that the military would not allow a disloyal government to rule if the Unionists lost in 1864, but should not even that mention of the subject have caused Banks to wonder about 1865 or 1866?

Banks was sanguine. He would let the future take care of itself. His government would satisfy the abolitionists for another year (he thought, wrongly), and that was all that concerned him. Banks lived day to day, so to speak, but he also thought that his work in Louisiana guaranteed him immortal fame. "History" would record his deeds. He was conscious of history. He was thinking about what would be said of his Louisiana government in the long run, but he had no long-range plan. Why not?

It is impossible to tell for certain, but a look at the general's career before the Louisiana experiment offers at least one enticing clue. General Banks's first command was the Department of Annapolis. There, in 1861, he controlled the corridor from the Northern states to Washington, D.C. His headquarters was in Baltimore, and Banks "found the situation one of Southern hearts and Northern muskets," as his able biographer, Fred



Harvey Harrington, states. He tried to be conciliatory first, and secession sentiment soared. He was ordered to get tougher. Eventually, Banks's soldiers installed a pro-Union successor to the notoriously secessionist police marshal.

Banks then became the head of the Army of the Shenandoah, and more of Maryland came under his jurisdiction. On George B. McClellan's orders, he arrested secessionist members of the Maryland legislature on their way to Frederick for a special session. His soldiers "protected" the polls, as pro-Union forces swept to victory in the autumn elections.

In later years, Banks would boast that his administration of Maryland was a model for Reconstruction:

The secession leaders — the enemies of the people — were replaced and loyal men assigned to . . . their duties. This made Maryland a loyal State. . . . What occurred there will occur in North Carolina, in South Carolina, in Georgia, in Alabama and Mississippi. If . . . those States shall be controlled by men that are loyal . . . we shall then have loyal populations and loyal governments.

The Maryland experience helps to explain Banks's optimism.

As was more often the case than has been commonly recognized in the study of Reconstruction, such optimism was rooted in a particular analysis of Southern society. The analysis perhaps came easier to former Democrats (like Banks), who were used to invoking a form of class analysis in their prescriptions for political policy. It may have come easier as well to a politician of working class origins (like Banks, the "Bobbin Boy of Massachusetts"). Banks vowed to build a loyal Louisiana out of the "humble and honest farmer, the poor mechanic, the hard-

working classes, the bone and sinew of the land." It will not do to dismiss such statements as the rhetorical litany of American politicians. Banks had blamed secession on a tiny elite of rich planters and a Southern urban aristocracy. He thought that a "clear majority of the people were . . . opposed to the war and could you remove from the control of public opinion one or two thousand in each of these States . . . you would have a population in all of these States . . . loyal and true to the Government."

General Banks may have been inept, but his miscalculations were born of practical experience in Maryland and of assumptions about the social composition of Southern society. His conceit stemmed from memories of his role in one of the North's two big political successes early in the war, the retention of Maryland in the Union. His obstinacy in pursuing his political plan was rooted in a fairly systematic political philosophy which told him what Southern society was like. The deeper roots of the ineptitude, conceit, and obstinacy of the other characters in the Louisiana experiment likewise demand study.

There are limits to what any one historian can do. Mrs. Cox has done more than most. One need only think of the muddled state of scholarship on early Louisiana Reconstruction before her work — and that of McCrary and other recent scholars as well — to be grateful for the modern accomplishments in this field.

On February 10, 1982, the Civil War Round Table of New York City gave LaWanda Cox the Barondess/Lincoln Award for *Lincoln and Black Freedom*. She deserved it. Her book is a contribution to Lincoln scholarship that will last.



From the Louis A. Warren  
Lincoln Library and Museum

FIGURE 4. A photographer in New Orleans, E. Jacobs, took a picture of Banks and his staff in the spring of 1864. This woodcut was copied from it.



SALMON PORTLAND CHASE

Born Jan. 13 1808 at Cornish N. H.

Graduated from Dartmouth College in 1826

U. S. Senator from Ohio 1849 - 1855

Govenor of Ohio 1855 - 1860

Elected to the U. S. Senate Mar. 4 1861 but  
resigned two days later to become Secretary  
of the Treasury under Lincoln.

Chief Justice of the Supreme Court Dec. 6 1864  
and presided at the impeachment trial of President  
Johnson in k 1868.

Died Dec. 7 1873.

*Salmon Porter*

Cincinnati May 31-1848

My dear sir,

I have received the  
moment yours of the 27<sup>th</sup>. Is it  
not possible for you to get time  
enough from your Court to attend  
the People's Convention. I do hope  
it may be.

There is a possibility  
that the Whigs may take up  
Mr Lewis but it is little more  
than a possibility. Should they  
nominate any other man, whether  
Scott, Taylor or Clay, it seems to  
be all important that the lead  
of the Free Territory movement  
should be in the hands of the  
Democracy. To this end it is



②  
extremely desirable that you and  
such as you should attend the Convention  
and give character to it. I am just as far  
as you are from wishing it to be or  
appear to be a mere Liberty  
Convention. I wish it to be a  
Democratic Convention, in name  
& fact, opposed only to the Hunkerism  
which is represented by Cass

I see the Barnburners  
propose to hold a Convention in  
New York and nominate a Candidate  
for the Presidency. If they do I think  
they will lose a most glorious  
opportunity of impressing their policy  
on the Nation. They ought to call a  
Convention of all willing to  
unite with them on the Free  
Territory Platform to assemble

(3)

on the 4th of July at some central  
place say Pittsburg or Harrisburg  
and nominate candidates upon the  
platform proposed by the New York  
Evening Post. Let the cry "the Stone  
which the Builders rejected become  
the keystone of the corner"! Go  
forth through the land. And there  
will be a mighty rally.

Your opinions will have great  
influence on their crowd. Let me  
beg of you therefore to write them  
to keep a National Convention on  
the O'Connell Platform. Our people  
Convention will need delegates  
and we will make a very respectable  
show toward carrying the state for  
its candidates. Should Mr McLean  
not be nominated. Write to

(4)

Wilmost, Van Buren, Wood, if my  
suggestion meets the approval of your  
better judgement and most others as  
you see fit. Judge Tappan is  
firm & undeviating against Coase

Yours very truly

J O Chase

P.S. you observe that Bartley?  
that Ohio had passed resolutions  
favoring the Coase, ?? Would  
it not be fair to let the Public  
see his letter?



Reed

desires

This original letter was in the  
collection of the late Oliver  
Walcott of Akron, Ohio

12/14/62

Diary & Letters of Salmon P. Chase

Annual Rep of the  
Am. Hist. Association

For the Year 1902

Vol. II

House Document Vol. 104. No. 461  
57th Cong. 2nd Session 1902-1903

~~Entry of Sept. 22, 1862. on reading of Emanc. Proc.  
(p. 87)~~

~~Insight into Chase's Character, - <sup>transcribed</sup> ~~from~~  
He was ~~captured in the~~ <sup>transcribed</sup> ~~Diary~~  
Toward L. Contradicting Charward's  
Assertion that Chase was a sneak.~~

~~less so in~~

~~Diary July 21 '62 - Oct. 2 '62~~

~~Letter of forwarded up for #284-296~~

~~Giving some facts to Charward's letter~~

This book is of value principally  
because of the intimate insight afforded  
of Oliver's Character. Best known is The  
Entry of Sept. 22, 1862, on the reading  
of the Eucuar. Proc. p. 57

Oliver was usually adverse in  
his criticism of L. in his Diary, which  
covers the period July 21, - Oct 12, 1862. His  
letters of the same period, pp. 284-296,  
are few but always laudatory of L.,  
giving background to Charvillat's  
judgment that "this handsome,  
discreet, and righteous person  
was verily a sneak." (C. 329)

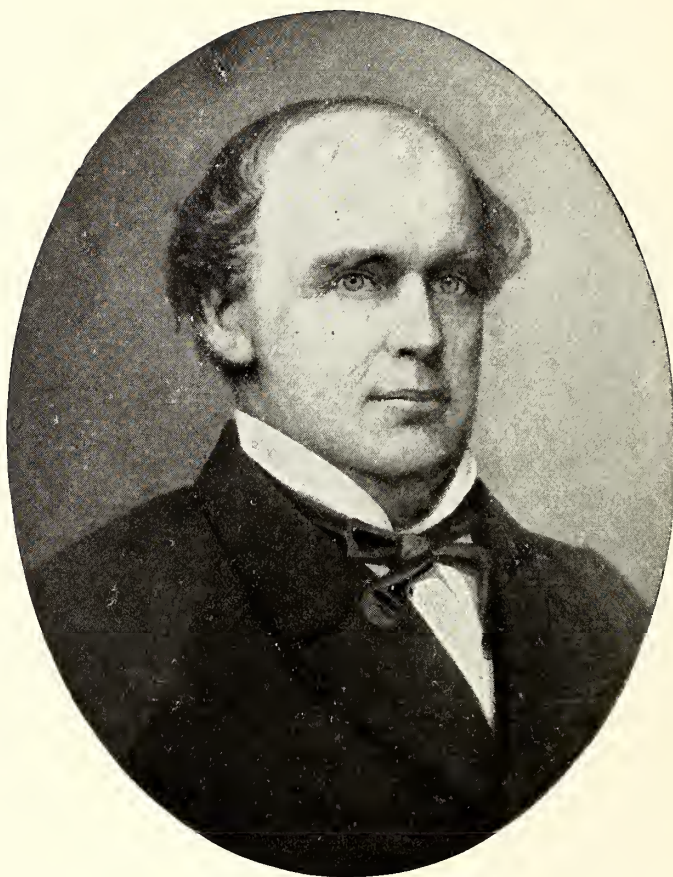


Letters to Chase 297-522

Valuable and  
More voluminous are the letters to  
Chase especially those of his special agent  
in New Orleans,  
George S. Benson, picturing  
Conditions <sup>there</sup> 1862-1865

He gives interesting and lights on  
Butler, whom he admired, and  
L. For example, p. 346:

"Gen. Butler is an extraordinary man,  
but did stay wrong in all things  
connected with internal Trade. I have  
frequently heard Union men say they  
wished he was President, for though  
he would make millions for himself  
during the first three months, he  
could finish the war in three  
months more." See also, pp. 313, 452.



*SALMON PORTLAND CHASE.*

CHASE



SALMON P. CHASE

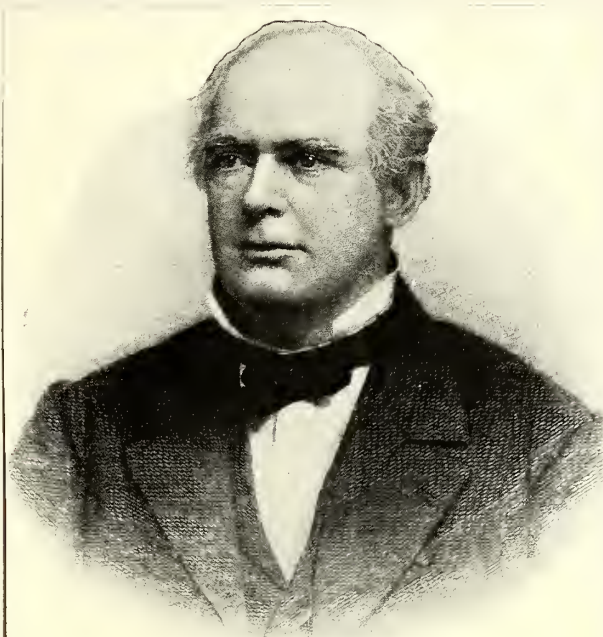
*From an engraving in the possession of the American Bank Note Company*

CHASE



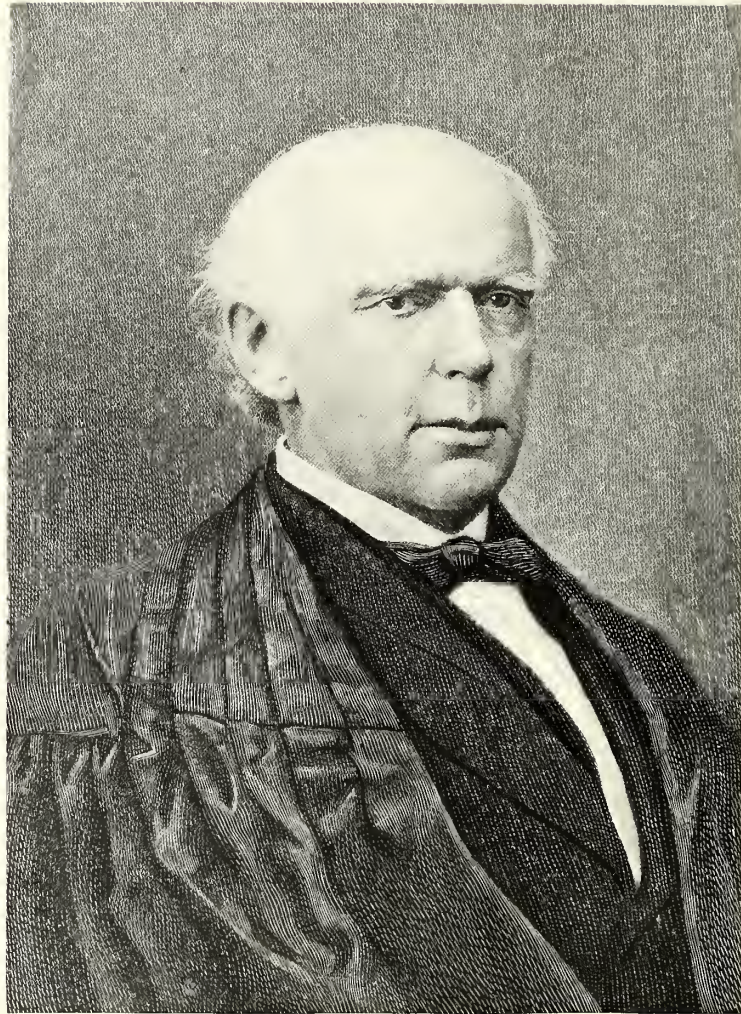


N H W vol. --- p. 22 L



SALMON P. CHASE

1808-1873



SALMON PORTLAND CHASE, OF OHIO, CHIEF JUSTICE 1864-1873.

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